

Magisterial District Reestablishment 2012

Judicial District Summary Sheet

County Name: **Berks**

Judicial District #: **23**

Caseload and Magisterial District Elimination Analysis

The difference between the average annual caseload of Judicial District # 23 and its class of county: **24%**

Note: If the difference is >/= 10% no proposed eliminations or justification is required.

Summary of Proposed Actions

23-1-01	Reestablish
23-1-02	Reestablish
23-1-03	Reestablish
23-1-05	Reestablish
23-1-06	Reestablish
23-2-01	Reestablish
23-2-02	Reestablish
23-2-03	Reestablish
23-2-04	Reestablish
23-3-01	Reestablish
23-3-02	Reestablish
23-3-03	Reestablish
23-3-04	Reestablish
23-3-05	Reestablish
23-3-06	Reestablish
23-3-07	Reestablish
23-3-09	Reestablish

Judicial District Summary Sheet

County Name: **Berks**

Judicial District #: **23**

Night/Central/Alternate Court Operations

This judicial district utilizes the following diversionary courts to assist in balancing workload:

Central Court: Yes Night Court: Yes

Central Arraignment Court was created as an after-hours emergency court to insure coverage. All MDJs are rotated through central court as a job responsibility. A central court also exists as a centralized preliminary hearing court for all magisterial districts located within the city of Reading.

Public Comment

Proposal Posted for Public Comment: Yes Comments Received: Yes

- Mayor, Robesonia Borough: Supports moving Robesonia and Heidelberg rather than Lower Heidelberg to realign 23-3-07.
 - Irvin Rathman: Supports moving Robesonia and Heidelberg rather than Lower Heidelberg to realign 23-3-07.
 - Chief, Heidelberg Township Police: Supports staying in 23-1-01 rather than realigning to 23-3-07.
 - Lower Heidelberg Township Board of Supervisors: Oppose removing Lower Heidelberg Township from 23-1-01.
 - George Rhen, Jr.: Opposed to proposal realigning 23-3-07 and 23-1-01 and suggests that time and costs for officers be strongly factored into the decision making.
 - President, Robesonia Borough Council: Opposes moving Robesonia to 23-3-07 because of the hardship it would create for residents and the police.
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- 23-1-04 was eliminated 1/2/12.

Magisterial District Reestablishment 2012

County Name: Berks

Judicial District #: 23

Existing and Proposed Magisterial Districts

Magisterial District #: 23-1-01

Proposed Action: Reestablish

Average Annual Caseload:	5,906	Average Annual Workload:	50,822
% Difference in Caseload (magisterial district/judicial district):	-13.00	% Difference in Workload (magisterial district/judicial district):	0.00
% Difference in Caseload (magisterial district/class of county):	8.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Magisterial District Judge & Office Information:

Ann L. Young

Birthdate: 12-13-64

West Gate Shoppes 600 East Penn Avenue, Suite 5

Mandatory Retirement: 2034

Wernersville, PA 19565

Term Expires: 1-3-16

Existing Geography:

HEIDELBERG TWP DIST 01; LOWER HEIDELBERG TWP DIST 01; LOWER HEIDELBERG TWP DIST 03; LOWER HEIDELBERG TWP DIST 02; ROBESONIA DIST 01; SOUTH HEIDELBERG TWP PCT 01; SOUTH HEIDELBERG TWP PCT 02; SINKING SPRING DIST 01; SOUTH HEIDELBERG TWP PCT 03; SPRING TWP DIST 01; SPRING TWP DIST 11; SPRING TWP DIST 12; SPRING TWP DIST 02; SPRING TWP DIST 03; SPRING TWP DIST 04; SPRING TWP DIST 05; SPRING TWP DIST 08; SPRING TWP DIST 06; SPRING TWP DIST 07; WERNERSVILLE DIST 01; SINKING SPRING DIST 02; SPRING TWP DIST 10

Not Listed: Adamstown Borough

Proposed Geography:

HEIDELBERG TWP DIST 01; LOWER HEIDELBERG TWP DIST 01; LOWER HEIDELBERG TWP DIST 03; LOWER HEIDELBERG TWP DIST 02; ROBESONIA DIST 01; SOUTH HEIDELBERG TWP PCT 01; SOUTH HEIDELBERG TWP PCT 02; SINKING SPRING DIST 01; SOUTH HEIDELBERG TWP PCT 03; SPRING TWP DIST 01; SPRING TWP DIST 11; SPRING TWP DIST 12; SPRING TWP DIST 02; SPRING TWP DIST 03; SPRING TWP DIST 04; SPRING TWP DIST 05; SPRING TWP DIST 08; SPRING TWP DIST 06; SPRING TWP DIST 07; WERNERSVILLE DIST 01; SINKING SPRING DIST 02; SPRING TWP DIST 10

Adamstown Borough

Office within district: Yes

Residence within district: Yes

Police Departments: Heidelberg Township PD, Lower Heidelberg Township PD, PSU (Berks Campus) Police, Sinking Spring Borough PD, South Heidelberg Township PD, Spring Township, Wernersville Borough

Existing and Proposed Magisterial Districts

Major Highways: Route 422, Route 222, Route 724

Existing and Proposed Magisterial Districts

Magisterial District #: 23-1-02

Proposed Action: Reestablish

Average Annual Caseload:	5,701	Average Annual Workload:	67,116
% Difference in Caseload (magisterial district/judicial district):	-16.00	% Difference in Workload (magisterial district/judicial district):	33.00
% Difference in Caseload (magisterial district/class of county):	4.70	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- If the 5% growth since 2000 is indicative of the next ten-year period, the population in this magisterial district will increase minimally over the next ten years.
- From 2005-2010, non-traffic filings made up 41.2% of the average caseload. Traffic filings were 31% and criminal cases were 10.9% of the average caseload.
- In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), as well as 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by the averages derived from statistics from 2005-2010.
- Another factor that will impact this court's caseload and workload is the enabling legislation that is currently pending before the Legislature. The Reading Parking Authority wants to pursue a parking court similar to that which is run by the City of Pittsburgh. In order to do so, the Legislature must pass legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system. When enacted, this change will result in a decrease in traffic filings not only for this magisterial district but the other magisterial districts in the City of Reading.
- At the beginning of 2011 in the State of the City Report, then Mayor Thomas M. McMahon noted that crime had decreased each year since 2006 when a comprehensive crime reduction strategy was implemented. If this trend continues and criminal case filings decrease, the Magisterial District Judge's workload will be further reduced.
- Preliminary hearings for criminal cases filed in the magisterial districts within the City of Reading are held in Reading Central Court, a centralized preliminary hearing court located in the Berks County Courthouse. As a result, all City magisterial district judges preside over criminal cases filed in the City of Reading regardless of the magisterial district in which it was filed.

Magisterial District Judge & Office Information:

Michael J. Leonardziak	Birthdate:	9-10-51
1150 Muhlenberg Street	Mandatory Retirement:	2021
Reading, PA 19602	Term Expires:	12-31-17

Existing Geography:

READING WD 02 PCT 01; READING WD 03 PCT 01;
READING WD 03 PCT 02; READING WD 10 PCT 01;
READING WD 16 PCT 01; READING WD 16 PCT 02;
READING WD 16 PCT 04; READING WD 16 PCT 05

Proposed Geography:

READING WD 02 PCT 01; READING WD 03 PCT 01;
READING WD 03 PCT 02; READING WD 10 PCT 01;
READING WD 16 PCT 01; READING WD 16 PCT 02;
READING WD 16 PCT 04; READING WD 16 PCT 05

Existing and Proposed Magisterial Districts

Office within district: Yes

Residence within district: Yes

Police Departments: Reading Police Dept.

Major Highways: Route 422

Existing and Proposed Magisterial Districts

Magisterial District #: 23-1-03

Proposed Action: Reestablish

Average Annual Caseload:	12,776	Average Annual Workload:	144,924
% Difference in Caseload (magisterial district/judicial district):	89.00	% Difference in Workload (magisterial district/judicial district):	186.00
% Difference in Caseload (magisterial district/class of county):	135.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- This Magisterial District had a population increase of 13% since 2000.
- The average workload for Magisterial District 23-1-03 deviates from the county benchmark by 186%. Non-traffic filings are 67% of the average caseload – the largest portion of the average caseload for the period 2005-2010. A large portion of the Non-traffic filings is due to truancy filings from all schools in the Reading School District as well as the filing method for truancy violations. The non-traffic filings could have increased also as a result of more aggressive prosecution of code violations.
- Although there was a temporary centralization of truancy filings in Magisterial District 23-1-03, all truancy violations are now to be filed in the proper magisterial district. However, all truancy violations for Reading High School are filed in this Magisterial District and two citations are filed per violation (one for the parent and one for the child). Another possible factor in the increase in non-traffic filings is the aggressive prosecution of code violations. To equalize this caseload will require the Court to work with city administration to file all code violations in the magisterial district in which the property is located. Redirecting these filings should relieve this Magisterial District and further help to equalize the caseload and workload.
- Crime in the City of Reading has decreased each year since 2006 when a comprehensive crime reduction strategy was implemented. Preliminary hearings for criminal cases filed in the magisterial districts within the City of Reading are held in Reading Central Court, a centralized preliminary hearing court located in the Berks County Courthouse. As a result, all City magisterial district judges preside over criminal cases filed in the City of Reading regardless of the magisterial district in which it was filed.
- This magisterial district is unique inasmuch as it has the smallest area of the magisterial districts in the City of Reading yet it contains the County's largest high school and Reading City Hall. Realigning this magisterial district by removing either Reading Ward 8 (City Hall) or part of Reading Ward 12 (Reading School District) might only create a disparate caseload and workload in another magisterial district. Therefore, the Court recommends that Magisterial District 23-1-03 be reestablished as it currently exists while the Court tries to equalize the workload by addressing the non-traffic filings from Reading High School and Reading City Hall.

Magisterial District Judge & Office Information:

Wallace S. Scott	Birthdate:	5-18-51
101 North Ninth Street	Mandatory Retirement:	2021
Reading, PA 19601	Term Expires:	12-31-17

Existing Geography:

Proposed Geography:

Existing and Proposed Magisterial Districts

READING WD 08; READING WD 09 PCT 02; READING WD 09 PCT 05; READING WD 11 PCT 02; READING WD 11 PCT 03; READING WD 12 PCT 01; READING WD 12 PCT 03; READING WD 12 PCT 05

READING WD 08; READING WD 09 PCT 02; READING WD 09 PCT 05; READING WD 11 PCT 02; READING WD 11 PCT 03; READING WD 12 PCT 01; READING WD 12 PCT 03; READING WD 12 PCT 05

Office within district: Yes

Residence within district: Yes

Police Departments: Reading Police Department

Major Highways:

Existing and Proposed Magisterial Districts

Magisterial District #: 23-1-05

Proposed Action: Reestablish

Average Annual Caseload:	4,112	Average Annual Workload:	42,214
% Difference in Caseload (magisterial district/judicial district):	-39.00	% Difference in Workload (magisterial district/judicial district):	-17.00
% Difference in Caseload (magisterial district/class of county):	-24.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

• The average total workload from 2005-2010 for Magisterial District 23-1-05 should not be included in the workload analysis of the magisterial districts in the 23rd Judicial District because of the realignment of the magisterial district as of January 2, 2012. In conjunction with the elimination of Magisterial District 23-1-04, Magisterial Districts 23-1-05 and 23-3-09 were both realigned. Magisterial District 23-1-05 was realigned to include Wards 6 and 7. This change will result in caseloads and workloads that would not be reflected in the statistics from 2005-2010.

Magisterial District Judge & Office Information:

Alvin B. Robinson	Birthdate:	5-6-58
Berks County Courthouse 633 Court Street	Mandatory Retirement:	2028
Reading, PA 19601	Term Expires:	1-3-16

Existing Geography:

READING WD 06 PCT 01; READING WD 06 PCT 03;
READING WD 07; READING WD 15 PCT 01; READING
WD 15 PCT 02; READING WD 15 PCT 06; READING WD
15 PCT 07; READING WD 15 PCT 09; READING WD 19
PCT 01; READING WD 19 PCT 02

Proposed Geography:

READING WD 06 PCT 01; READING WD 06 PCT 03;
READING WD 07; READING WD 15 PCT 01; READING
WD 15 PCT 02; READING WD 15 PCT 06; READING WD
15 PCT 07; READING WD 15 PCT 09; READING WD 19
PCT 01; READING WD 19 PCT 02

Office within district: Yes

Residence within district: Yes

Police Departments: Reading Police Department

Major Highways: Route 222, Route 183, Route 12

Existing and Proposed Magisterial Districts

Magisterial District #: 23-1-06

Proposed Action: Reestablish

Average Annual Caseload:	5,827	Average Annual Workload:	51,286
% Difference in Caseload (magisterial district/judicial district):	-14.00	% Difference in Workload (magisterial district/judicial district):	1.00
% Difference in Caseload (magisterial district/class of county):	7.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Magisterial District Judge & Office Information:

Dean R. Patton

Birthdate: 12-13-55

3607 Pottsville Pike

Mandatory Retirement: 2025

Reading, PA 19605

Term Expires: 1-5-14

Existing Geography:

LAURELDALE DIST 01; LAURELDALE DIST 02;
MUHLENBERG TWP DIST 01; MUHLENBERG TWP DIST
02; MUHLENBERG TWP DIST 03; MUHLENBERG TWP
DIST 04; MUHLENBERG TWP DIST 06; MUHLENBERG
TWP DIST 08; MUHLENBERG TWP DIST 05;
MUHLENBERG TWP DIST 07; MUHLENBERG TWP DIST 09

Proposed Geography:

LAURELDALE DIST 01; LAURELDALE DIST 02;
MUHLENBERG TWP DIST 01; MUHLENBERG TWP DIST
02; MUHLENBERG TWP DIST 03; MUHLENBERG TWP
DIST 04; MUHLENBERG TWP DIST 06; MUHLENBERG
TWP DIST 08; MUHLENBERG TWP DIST 05;
MUHLENBERG TWP DIST 07; MUHLENBERG TWP DIST
09

Office within district: Yes

Residence within district: Yes

Police Departments: Laureldale Borough Police Dept., Muhlenberg Township Police Dept.

Major Highways: Route 222, Route 61, Route 12, Kutztown Road

Existing and Proposed Magisterial Districts

Magisterial District #: 23-2-01

Proposed Action: Reestablish

Average Annual Caseload:	5,226	Average Annual Workload:	55,302
% Difference in Caseload (magisterial district/judicial district):	-23.00	% Difference in Workload (magisterial district/judicial district):	9.00
% Difference in Caseload (magisterial district/class of county):	-4.00		

Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.

Magisterial District Judge & Office Information:

Stuart D. Kennedy

441 Morgantown Road

Reading, PA 19611

Birthdate: 11-11-53

Mandatory Retirement: 2023

Term Expires: 1-3-16

Existing Geography:

READING WD 01 PCT 01; READING WD 04 PCT 01;
READING WD 05; READING WD 18 PCT 01; READING
WD 18 PCT 02; READING WD 18 PCT 03; READING WD
18 PCT 04

Proposed Geography:

READING WD 01 PCT 01; READING WD 04 PCT 01;
READING WD 05; READING WD 18 PCT 01; READING
WD 18 PCT 02; READING WD 18 PCT 03; READING WD
18 PCT 04

Office within district: Yes

Residence within district: Yes

Police Departments: Reading Police Department

Major Highways: Route 422, Route 222, Route 10, Route 625

Existing and Proposed Magisterial Districts

Magisterial District #: 23-2-02

Proposed Action: Reestablish

Average Annual Caseload:	5,353	Average Annual Workload:	44,682
% Difference in Caseload (magisterial district/judicial district):	-21.00	% Difference in Workload (magisterial district/judicial district):	-12.00
% Difference in Caseload (magisterial district/class of county):	-2.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Magisterial District Judge & Office Information:

Timothy M. Dougherty
401 Walnut Street
West Reading, PA 19611

Birthdate: 6-5-59
Mandatory Retirement: 2029
Term Expires: 12-31-17

Existing Geography:

WEST READING DIST 01; WEST LAWN DIST 01; WEST READING DIST 03; WYOMISSING DIST 01; WYOMISSING DIST 04; WYOMISSING DIST 02; WYOMISSING DIST 03; WYOMISSING HILLS DIST 01

Proposed Geography:

WEST READING DIST 01; WEST LAWN DIST 01; WEST READING DIST 03; WYOMISSING DIST 01; WYOMISSING DIST 04; WYOMISSING DIST 02; WYOMISSING DIST 03; WYOMISSING HILLS DIST 01

Office within district: Yes

Residence within district: Yes

Police Departments: Penn State Berks PD, West Reading Borough PD, Wyomissing Borough PD

Major Highways: Route 422, Route 222, Route 12, Business Route 422 (Penn Avenue)

Existing and Proposed Magisterial Districts

Magisterial District #: 23-2-03

Proposed Action: Reestablish

Average Annual Caseload:	5,330	Average Annual Workload:	43,083
% Difference in Caseload (magisterial district/judicial district):	-21.00	% Difference in Workload (magisterial district/judicial district):	-15.00
% Difference in Caseload (magisterial district/class of county):	-2.00		

Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.

Magisterial District Judge & Office Information:

Phyllis J. Kowalski

10 Fairlane Road

Reading, PA 19606

Birthdate: 11-17-50

Mandatory Retirement: 2020

Term Expires: 1-3-16

Existing Geography:

EXETER TWP DIST 01; EXETER TWP DIST 10; EXETER TWP DIST 02; EXETER TWP DIST 09; EXETER TWP DIST 03; EXETER TWP DIST 04; EXETER TWP DIST 06; EXETER TWP DIST 08; EXETER TWP DIST 07; EXETER TWP DIST 05; LOWER ALSACE TWP DIST 01; LOWER ALSACE TWP DIST 02; MOUNT PENN DIST 01; ST. LAWRENCE Voting District

Proposed Geography:

EXETER TWP DIST 01; EXETER TWP DIST 10; EXETER TWP DIST 02; EXETER TWP DIST 09; EXETER TWP DIST 03; EXETER TWP DIST 04; EXETER TWP DIST 06; EXETER TWP DIST 08; EXETER TWP DIST 07; EXETER TWP DIST 05; LOWER ALSACE TWP DIST 01; LOWER ALSACE TWP DIST 02; MOUNT PENN DIST 01; ST. LAWRENCE Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Central Berks Regional Police Department, Exeter Township Police Department

Major Highways: Route 422, Route 562

Existing and Proposed Magisterial Districts

Magisterial District #: 23-2-04

Proposed Action: Reestablish

Average Annual Caseload:	5,133	Average Annual Workload:	35,794
% Difference in Caseload (magisterial district/judicial district):	-24.00	% Difference in Workload (magisterial district/judicial district):	-29.00
% Difference in Caseload (magisterial district/class of county):	-6.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- Magisterial District 23-2-04 increased population by 7.4% since the last census.
- According to Township officials, Cumru Township is expecting very little residential growth in the near future.
- A review of the filings for 1999-2001 reveals that traffic filings constituted 63.1% of the average annual caseload for the three-year period. The average traffic filings for the period 2005-2010 were 73% of the average caseload for the Magisterial District.
- The average number of criminal filings also increased by 18.1% in comparison to the average number filed from 1999-2001, and landlord/tenant filings have nearly doubled. The increase in the landlord/tenant filings resulted from stricter enforcement in the several apartment complexes located in Cumru Township.
- There is no indication that this magisterial district will experience a decrease in filings over the next ten years and any increase in caseload will diminish the deviation from the county benchmark and produce a more equitable caseload.
- A second analysis was done which included only average workloads for the twelve magisterial districts outside the City of Reading, which resulted in a lesser variance of only -2%, indicating an equitable workload.

Magisterial District Judge & Office Information:

Nicholas M. Bentz , Jr.	Birthdate:	8-27-42
1786 Welsh Road	Mandatory Retirement:	2012
Mohnton, PA 19540	Term Expires:	1-3-16

Existing Geography:

CUMRU TWP DIST 01; CUMRU TWP DIST 02; CUMRU TWP DIST 03; CUMRU TWP DIST 07; CUMRU TWP DIST 04; CUMRU TWP DIST 05; CUMRU TWP DIST 06; KENHORST DIST 01; KENHORST DIST 02; MOHNTON DIST 01; SHILLINGTON DIST 01; SHILLINGTON DIST 02

Proposed Geography:

CUMRU TWP DIST 01; CUMRU TWP DIST 02; CUMRU TWP DIST 03; CUMRU TWP DIST 07; CUMRU TWP DIST 04; CUMRU TWP DIST 05; CUMRU TWP DIST 06; KENHORST DIST 01; KENHORST DIST 02; MOHNTON DIST 01; SHILLINGTON DIST 01; SHILLINGTON DIST 02

Office within district: Yes

Residence within district: Yes

Police Departments: Cumru Township Police Dept., Mohnton Borough Police Department, Shillington Borough Police Dept. Also contract with Reading Police Dept. to provide police

Existing and Proposed Magisterial Districts

coverage.

Major Highways: Routes 176, 422, 222, 724, 625, 10

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-01

Proposed Action: Reestablish

Average Annual Caseload:	5,279	Average Annual Workload:	31,483
% Difference in Caseload (magisterial district/judicial district):	-22.00	% Difference in Workload (magisterial district/judicial district):	-38.00
% Difference in Caseload (magisterial district/class of county):	-3.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- This magisterial district experienced an 11% increase in population in the last ten years.
- There are multiple plans for residential developments that have preliminary approval. Commercial businesses also have the potential for growth.
- The average workload for Magisterial District 23-3-01 deviates from the Judicial District's average workload by -38%. However, when comparing only the twelve magisterial districts outside the City of Reading, the workload variance decreases to -14%.

Magisterial District Judge & Office Information:

David E. Glass

Birthdate: 2-22-56

Matthew Brooke Professional Building, Suite 180 321
North Furnace Street

Mandatory Retirement: 2026

Birdsboro, PA 19508

Term Expires: 12-31-17

Existing Geography:

BIRDSBORO DIST 01; BIRDSBORO DIST 02; BRECKNOCK TWP DIST 01; BRECKNOCK TWP DIST 02; CAERNARVON TWP DIST 01; CAERNARVON TWP DIST 02; NEW MORGAN Voting District; ROBESON TWP DIST 01; ROBESON TWP DIST 4; ROBESON TWP DIST 02; ROBESON TWP DIST 03; UNION TWP DIST 01; UNION TWP DIST 02

Proposed Geography:

BIRDSBORO DIST 01; BIRDSBORO DIST 02; BRECKNOCK TWP DIST 01; BRECKNOCK TWP DIST 02; CAERNARVON TWP DIST 01; CAERNARVON TWP DIST 02; NEW MORGAN Voting District; ROBESON TWP DIST 01; ROBESON TWP DIST 4; ROBESON TWP DIST 02; ROBESON TWP DIST 03; UNION TWP DIST 01; UNION TWP DIST 02

Office within district: Yes

Residence within district: Yes

Police Departments: Birdsboro Borough Police Dept., Brecknock Township Police Dept., Caernarvon Township Police Dept., Robeson Township Police Dept.

Major Highways: Routes 76, 176, 724, 10, 345, 23

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-02

Proposed Action: Reestablish

Average Annual Caseload:	3,825	Average Annual Workload:	30,264
% Difference in Caseload (magisterial district/judicial district):	-44.00	% Difference in Workload (magisterial district/judicial district):	-40.00
% Difference in Caseload (magisterial district/class of county):	-30.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

This magisterial district had a 1.5% population increase since 2000. The average workload deviates from the Judicial District's average workload by -40%. However, a variance of only 17% resulted from a second analysis which included only average workloads for the twelve magisterial districts outside the City of Reading.

Magisterial District Judge & Office Information:

Michael G. Hartman	Birthdate:	11-21-54
100 Schaeffer Street, Suite 2	Mandatory Retirement:	2024
Boyertown, PA 19512	Term Expires:	12-31-17

Existing Geography:

BALLY DIST 01; BECHTELSVILLE DIST 01; BOYERTOWN DIST 01; BOYERTOWN DIST 02; COLEBROOKDALE TWP DIST 01; COLEBROOKDALE TWP DIST 02; DOUGLASS TWP DIST 01; DOUGLASS TWP DIST 02; EARL TWP DIST 01; EARL TWP DIST 02; HEREFORD TWP DIST 01; HEREFORD TWP DIST 02; WASHINGTON TWP DIST 01

Proposed Geography:

BALLY DIST 01; BECHTELSVILLE DIST 01; BOYERTOWN DIST 01; BOYERTOWN DIST 02; COLEBROOKDALE TWP DIST 01; COLEBROOKDALE TWP DIST 02; DOUGLASS TWP DIST 01; DOUGLASS TWP DIST 02; EARL TWP DIST 01; EARL TWP DIST 02; HEREFORD TWP DIST 01; HEREFORD TWP DIST 02; WASHINGTON TWP DIST 01

Office within district: Yes

Residence within district: Yes

Police Departments: Bally Borough Police Dept., Boyertown Borough Police Dept., Colebrookdale Township Police Dept., Douglass Township Berks Police Department

Major Highways: Route 100, Route 73, Route 562

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-03

Proposed Action: Reestablish

Average Annual Caseload:	4,191	Average Annual Workload:	35,263
% Difference in Caseload (magisterial district/judicial district):	-38.00	% Difference in Workload (magisterial district/judicial district):	-30.00
% Difference in Caseload (magisterial district/class of county):	-23.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

While the workload analysis using all eighteen magisterial districts resulted in a -30% difference between this magisterial district's average total workload and the average total workload for the judicial district, the second analysis (excluding the magisterial districts within the City of Reading) resulted in only a -3% variance. Since 2000, this magisterial district had a 56.3% population increase. It is one of the largest magisterial districts in the 23rd Judicial District based on square mileage and extends from the Lehigh County line almost through to Chester and Montgomery Counties.

Magisterial District Judge & Office Information:

Victor M. Frederick , IV
26 Scholl Drive P.O. Box 18
Oley, PA 19547

Birthdate: 7-17-66
Mandatory Retirement: 2036
Term Expires: 12-31-17

Existing Geography:

ALSACE TWP DIST 01; AMITY TWP DIST 01; AMITY TWP DIST 02; DISTRICT TWP DIST 01; AMITY TWP DIST 04; AMITY TWP DIST 06; AMITY TWP DIST 05; AMITY TWP DIST 03; LONGSWAMP TWP DIST 01; LONGSWAMP TWP DIST 02; OLEY TWP DIST 01; OLEY TWP DIST 02; PIKE TWP DIST 01; ROCKLAND TWP DIST 01; RUSCOMBMANOR TWP DIST 02; TOPTON Voting District; ROCKLAND TWP DIST 02; RUSCOMBMANOR TWP DIST 01

Proposed Geography:

ALSACE TWP DIST 01; AMITY TWP DIST 01; AMITY TWP DIST 02; DISTRICT TWP DIST 01; AMITY TWP DIST 04; AMITY TWP DIST 06; AMITY TWP DIST 05; AMITY TWP DIST 03; LONGSWAMP TWP DIST 01; LONGSWAMP TWP DIST 02; OLEY TWP DIST 01; OLEY TWP DIST 02; PIKE TWP DIST 01; ROCKLAND TWP DIST 01; RUSCOMBMANOR TWP DIST 02; TOPTON Voting District; ROCKLAND TWP DIST 02; RUSCOMBMANOR TWP DIST 01

Office within district: Yes

Residence within district: Yes

Police Departments: Amity Township Police Department, Oley Township Police Department

Major Highways: Route 12, Route 422, Route 662, Route 73

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-04

Proposed Action: Reestablish

Average Annual Caseload:	3,262	Average Annual Workload:	29,015
% Difference in Caseload (magisterial district/judicial district):	-52.00	% Difference in Workload (magisterial district/judicial district):	-43.00
% Difference in Caseload (magisterial district/class of county):	-40.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- The population in this magisterial district has increased by 9.5% since 2000.
- Kutztown University is also located within this magisterial district.
- The average annual workload for Magisterial District 23-3-04 deviates from the county benchmark by -43% when including all eighteen magisterial districts in the analysis. However, when conducting the analysis using only the magisterial districts outside the City of Reading, the variance decreases to -20%.
- With no reason for the slight decrease in the Magisterial District’s average caseload and no indication that a decrease in filings will continue, it is anticipated that the District’s average caseload and resulting workload will rebound and narrow the variance even further.

Magisterial District Judge & Office Information:

Gail M. Greth	Birthdate:	9-10-54
110 West Arch Street, Suite 118	Mandatory Retirement:	2024
Fleetwood, PA 19522	Term Expires:	12-31-17

Existing Geography:

FLEETWOOD DIST 01; KUTZTOWN DIST 01; KUTZTOWN DIST 02; LYONS DIST 01; MAXATAWNY TWP DIST 01; MAXATAWNY TWP DIST 02; MAXATAWNY TWP DIST 03; RICHMOND TWP DIST 01; FLEETWOOD DIST 02

Proposed Geography:

FLEETWOOD DIST 01; KUTZTOWN DIST 01; KUTZTOWN DIST 02; LYONS DIST 01; MAXATAWNY TWP DIST 01; MAXATAWNY TWP DIST 02; MAXATAWNY TWP DIST 03; RICHMOND TWP DIST 01; FLEETWOOD DIST 02

Office within district: Yes

Residence within district: Yes

Police Departments: Berks-Lehigh Regional Police Dept., Fleetwood Borough Police Dept., Kutztown Police Dept., Jutztown University Police, Richmond Township Police Dept.

Major Highways: Route 222, Route 662

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-05

Proposed Action: Reestablish

Average Annual Caseload:	6,033	Average Annual Workload:	36,492
% Difference in Caseload (magisterial district/judicial district):	-11.00	% Difference in Workload (magisterial district/judicial district):	-28.00
% Difference in Caseload (magisterial district/class of county):	11.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- This magisterial district had an 18% population increase since 2000.
- The workload analysis using all eighteen magisterial districts resulted in a -28% difference between this magisterial district's average workload and the average workload for the judicial district. This variance is slightly outside of the recommended +/-15% variance. The second analysis resulted in a 0% variance, indicating an equitable workload for this Magisterial District.

Magisterial District Judge & Office Information:

Thomas M. Gauby , Sr.
2739 Bernville Road
Leesport, PA 19533

Birthdate: 10-28-49
Mandatory Retirement: 2019
Term Expires: 12-31-17

Existing Geography:

BERN TWP DIST 01; BERN TWP DIST 02; BERN TWP DIST 03; CENTERPORT DIST 01; CENTRE TWP DIST 02; LEESPORT WD 01; MAIDENCREEK TWP WD 01; MAIDENCREEK TWP WD 02; MAIDENCREEK TWP WD 03; MAIDENCREEK TWP WD 04; ONTELAUNEE TWP DIST 01; CENTRE TWP DIST 01

Proposed Geography:

BERN TWP DIST 01; BERN TWP DIST 02; BERN TWP DIST 03; CENTERPORT DIST 01; CENTRE TWP DIST 02; LEESPORT WD 01; MAIDENCREEK TWP WD 01; MAIDENCREEK TWP WD 02; MAIDENCREEK TWP WD 03; MAIDENCREEK TWP WD 04; ONTELAUNEE TWP DIST 01; CENTRE TWP DIST 01

Office within district: Yes

Residence within district: Yes

Police Departments: Bern Township Police Dept., Northern Berks Regional Police Dept.

Major Highways: Route76, Route 176, Route 724, Route 10, Route 345, Route 23

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-06

Proposed Action: Reestablish

Average Annual Caseload:	4,545	Average Annual Workload:	28,235
% Difference in Caseload (magisterial district/judicial district):	-33.00	% Difference in Workload (magisterial district/judicial district):	-44.00
% Difference in Caseload (magisterial district/class of county):	-17.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- The population in this Magisterial District decreased minimally by 1.7% since 2000.
- There is room for residential and commercial growth in some of the municipalities in this Magisterial District, and it appears that there will be some growth in the foreseeable future.
- While the workload analysis using all eighteen magisterial districts resulted in a -44% difference between this magisterial district's average workload and the average workload for the judicial district, a second analysis resulted in a -23% variance.
- Based on the results of the workload analyses, the large physical area this Magisterial District covers, the potential growth, the very recent and future commercial growth in Tilden Township, and the anticipated residential growth in Hamburg, the Court recommends that Magisterial District 23-3-06 be reestablished as it presently exists. It is anticipated the annual caseload will increase thereby increasing the Magisterial District Judge's workload, to further equalize the workloads among the Magisterial District Judges.

Magisterial District Judge & Office Information:

Kim L. Bagenstose	Birthdate:	8-13-65
61 North Third Street, Second Floor	Mandatory Retirement:	2035
Hamburg, PA 19526	Term Expires:	1-3-16

Existing Geography:

ALBANY TWP Voting District; GREENWICH TWP DIST 01; GREENWICH TWP DIST 02; HAMBURG DIST 01; HAMBURG DIST 02; LENHARTSVILLE DIST 01; PERRY TWP Voting District; SHOEMAKERSVILLE DIST 01; TILDEN TWP Voting District; WINDSOR TWP DIST 01

Proposed Geography:

ALBANY TWP Voting District; GREENWICH TWP DIST 01; GREENWICH TWP DIST 02; HAMBURG DIST 01; HAMBURG DIST 02; LENHARTSVILLE DIST 01; PERRY TWP Voting District; SHOEMAKERSVILLE DIST 01; TILDEN TWP Voting District; WINDSOR TWP DIST 01

Office within district: Yes

Residence within district: Yes

Police Departments: Hamburg Borough Police Dept., Tilden Township Police Dept.

Major Highways: I-78, Route 61, Route 662

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-07

Proposed Action: Reestablish

Average Annual Caseload:	3,233	Average Annual Workload:	21,149
% Difference in Caseload (magisterial district/judicial district):	-52.00	% Difference in Workload (magisterial district/judicial district):	-58.00
% Difference in Caseload (magisterial district/class of county):	-41.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- Magisterial District 23-3-07 experienced a 4% increase in population since 2000.
- This magisterial district includes an area that is largely rural and agricultural. In addition to the farmland preservation initiatives, residential and commercial development is occurring in this area.
- 74% of the Magisterial District's average total caseload is traffic filings; which is due to the major roadways that run through this magisterial district, most notably Interstate 78.
- Based on the total average workload for this Magisterial District, two proposals were considered to realign this district. The first proposed realigning to include Lower Heidelberg Township, a township that is currently included in Magisterial District 23-1-01. Citing additional costs to the township, concern for safety and access to justice, this proposal did not appear reasonable. An alternate proposal suggested realignment to include Heidelberg Township and Robeson Borough both of which are currently included in Magisterial District 23-1-01. However, given the same issues above and that the Western Berks Regional Police Department covers the Boroughs of Robeson and Wernersville (meaning the police would have to file in two district courts rather than one), this alternate was also not accepted.
- Given the size of this Magisterial District, the growing population, residential construction, and the prospect for new jobs in the area, it is recommended that Magisterial District 23-3-07 be reestablished as it presently exists.

Magisterial District Judge & Office Information:

Andrea J. Book	Birthdate:	10-17-70
7191 Bernville Road	Mandatory Retirement:	2040
Bernville, PA 19506	Term Expires:	12-31-17

Existing Geography:

BERNVILLE DIST 01; BETHEL TWP Voting District; JEFFERSON TWP DIST 01; MARION TWP DIST 01; NORTH HEIDELBERG TWP DIST 01; PENN TWP Voting District; STRAUSSTOWN Voting District; TULPEHOCKEN TWP DIST 01; TULPEHOCKEN TWP DIST 02; UPPER BERN TWP DIST 01; UPPER TULPEHOCKEN TWP DIST 01; WOMELSDORF DIST 01

Proposed Geography:

BERNVILLE DIST 01; BETHEL TWP Voting District; JEFFERSON TWP DIST 01; MARION TWP DIST 01; NORTH HEIDELBERG TWP DIST 01; PENN TWP Voting District; STRAUSSTOWN Voting District; TULPEHOCKEN TWP DIST 01; TULPEHOCKEN TWP DIST 02; UPPER BERN TWP DIST 01; UPPER TULPEHOCKEN TWP DIST 01; WOMELSDORF DIST 01

Office within district: Yes

Existing and Proposed Magisterial Districts

Residence within district: Yes

Police Departments: Bernville Borough PD, Bethel Township PD, Tulpehocken Township PD, Womelsdorf Borough PD

Major Highways: I-78, Route 422, Route 419, Route 183, Route 501

Existing and Proposed Magisterial Districts

Magisterial District #: 23-3-09

Proposed Action: Reestablish

Average Annual Caseload:	5,956	Average Annual Workload:	55,319
% Difference in Caseload (magisterial district/judicial district):	-12.00	% Difference in Workload (magisterial district/judicial district):	9.00
% Difference in Caseload (magisterial district/class of county):	9.00		

Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.

Magisterial District Judge & Office Information:

Thomas H. Xavios

1259 North 10th Street

Reading, PA 19604

Birthdate: 2-10-52

Mandatory Retirement: 2022

Term Expires: 12-31-17

Existing Geography:

READING WD 13 PCT 01; READING WD 13 PCT 02;
READING WD 13 PCT 04; READING WD 13 PCT 05;
READING WD 14 PCT 01; READING WD 14 PCT 04;
READING WD 14 PCT 05; READING WD 14 PCT 06;
READING WD 17 PCT 01; READING WD 17 PCT 02;
READING WD 17 PCT 05; READING WD 17 PCT 06;
READING WD 17 PCT 07; READING WD 17 PCT 08;
READING WD 17 PCT 09

Proposed Geography:

READING WD 13 PCT 01; READING WD 13 PCT 02;
READING WD 13 PCT 04; READING WD 13 PCT 05;
READING WD 14 PCT 01; READING WD 14 PCT 04;
READING WD 14 PCT 05; READING WD 14 PCT 06;
READING WD 17 PCT 01; READING WD 17 PCT 02;
READING WD 17 PCT 05; READING WD 17 PCT 06;
READING WD 17 PCT 07; READING WD 17 PCT 08;
READING WD 17 PCT 09

Office within district: Yes

Residence within district: Yes

Police Departments: Reading Police Department

Major Highways: Route 222, Route 61

Magisterial District Reestablishment 2012

Magisterial District Caseload/Workload Analysis

Judicial District and Class of County Comparison Statistics

Berks / 23

Judicial District Average Caseload			
2011 Class	2011 Filings	2012 Class	2012 Filings
3	6,772	3	6,772

2011 Class of County Caseload Averages								
2011 Class	CR	PC	TR	NT	CV	LT	MD	Total
3	409	171	3,480	803	288	194	100	5,446

2012 Class of County Caseload Averages								
2012 Class	CR	PC	TR	NT	CV	LT	MD	Total
3	414	196	3,590	796	292	192	98	5,576

Notes on Analysis:

CASELOAD: The statistics provided are used to compare the average annual caseload of each magisterial district to the class of county average as one measure to assess whether any changes should be proposed. Reported values are provided by the judicial district; the comparison values are provided by the MDJS.

WORKLOAD: Where the average annual workload of a magisterial district is greater/less than 15% of the judicial district's workload average, the judicial district should realign - OR - explain why this difference does not impact workload equity within the judicial district. A value that is green indicates it is within range; red requires justification if realignment or elimination are not proposed.

Judicial District Caseload Averages		
Berks	2011	2012
Class	3	3
CR	380	380
NT	1,369	1,369
PC	92	92
TR	4,270	4,270
CV	312	312
LT	199	199
MD	150	150
AVG	6,772	6,772

Judicial District Workload Averages		
Berks	2011	2012
Class	3	3
CR	13,954	13,954
NT	14,700	14,700
PC	991	991
TR	9,735	9,735
CV	3,523	3,523
LT	2,882	2,882
MD	4,875	4,875
-15 % Workload	43,060	43,060
Average Workload	50,659	50,659
+ 15% Workload	58,258	58,258

Magisterial District Caseload/Workload Analysis

23-1-01

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,906		

Magisterial District Average: Judicial District Average:

-13	-12.78%	-12.78%
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Magisterial District Average: Class of County Average:

8	8.45%	5.91%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
50,822		

Magisterial District Average: Judicial District Average:

0	0.32%	0.32%
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23-1-02

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,701		

Magisterial District Average: Judicial District Average:

-16	-15.81%	-15.81%
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Magisterial District Average: Class of County Average:

4.7	4.68%	2.23%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
67,116		

Magisterial District Average: Judicial District Average:

33	32.49%	32.49%
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Magisterial District Caseload/Workload Analysis

23-1-03

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
12,776		

Magisterial District Average: Judicial District Average:

89	88.67%	88.67%
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Magisterial District Average: Class of County Average:

135	134.59%	129.11%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
144,924		

Magisterial District Average: Judicial District Average:

186	186.08%	186.08%
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23-1-05

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
4,112		

Magisterial District Average: Judicial District Average:

-39	-39.28%	-39.28%
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Magisterial District Average: Class of County Average:

-24	-24.50%	-26.26%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
42,214		

Magisterial District Average: Judicial District Average:

-17	-16.67%	-16.67%
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23-1-06

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,827		

Magisterial District Average: Judicial District Average:

-14	-13.95%	-13.95%
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Magisterial District Average: Class of County Average:

7	6.99%	4.49%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
51,286		

Magisterial District Average: Judicial District Average:

1	1.24%	1.24%
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Magisterial District Caseload/Workload Analysis

23-2-01

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,226		

Magisterial District Average: Judicial District Average:

-23	-22.82%	-22.82%
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Magisterial District Average: Class of County Average:

-4	-4.04%	-6.28%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
55,302		

Magisterial District Average: Judicial District Average:

9	9.17%	9.17%
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23-2-02

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,353		

Magisterial District Average: Judicial District Average:

-21	-20.95%	-20.95%
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Magisterial District Average: Class of County Average:

-2	-1.71%	-4.01%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
44,682		

Magisterial District Average: Judicial District Average:

-12	-11.80%	-11.80%
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23-2-03

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,330		

Magisterial District Average: Judicial District Average:

-21	-21.29%	-21.29%
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Magisterial District Average: Class of County Average:

-2	-2.13%	-4.42%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
43,083		

Magisterial District Average: Judicial District Average:

-15	-14.95%	-14.95%
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Magisterial District Caseload/Workload Analysis

23-2-04

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,133		

Magisterial District Average: Judicial District Average:

-24	-24.20%	-24.20%
-----	---------	---------

Magisterial District Average: Class of County Average:

-6	-5.75%	-7.95%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
35,794		

Magisterial District Average: Judicial District Average:

-29	-29.34%	-29.34%
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23-3-01

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,279		

Magisterial District Average: Judicial District Average:

-22	-22.04%	-22.04%
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Magisterial District Average: Class of County Average:

-3	-3.07%	-5.33%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
31,483		

Magisterial District Average: Judicial District Average:

-38	-37.85%	-37.85%
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23-3-02

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
3,825		

Magisterial District Average: Judicial District Average:

-44	-43.51%	-43.51%
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Magisterial District Average: Class of County Average:

-30	-29.77%	-31.41%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
30,264		

Magisterial District Average: Judicial District Average:

-40	-40.26%	-40.26%
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Magisterial District Caseload/Workload Analysis

23-3-03

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
4,191		

Magisterial District Average: Judicial District Average:

-38	-38.11%	-38.11%
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Magisterial District Average: Class of County Average:

-23	-23.05%	-24.84%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
35,263		

Magisterial District Average: Judicial District Average:

-30	-30.39%	-30.39%
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23-3-04

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
3,262		

Magisterial District Average: Judicial District Average:

-52	-51.83%	-51.83%
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Magisterial District Average: Class of County Average:

-40	-40.10%	-41.50%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
29,015		

Magisterial District Average: Judicial District Average:

-43	-42.72%	-42.72%
-----	---------	---------

23-3-05

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
6,033		

Magisterial District Average: Judicial District Average:

-11	-10.91%	-10.91%
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Magisterial District Average: Class of County Average:

11	10.78%	8.19%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
36,492		

Magisterial District Average: Judicial District Average:

-28	-27.97%	-27.97%
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Magisterial District Caseload/Workload Analysis

23-3-06

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
4,545		

Magisterial District Average: Judicial District Average:

-33	-32.88%	-32.88%
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Magisterial District Average: Class of County Average:

-17	-16.55%	-18.50%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
28,235		

Magisterial District Average: Judicial District Average:

-44	-44.26%	-44.26%
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23-3-07

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
3,233		

Magisterial District Average: Judicial District Average:

-52	-52.26%	-52.26%
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Magisterial District Average: Class of County Average:

-41	-40.64%	-42.02%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
21,149		

Magisterial District Average: Judicial District Average:

-58	-58.25%	-58.25%
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23-3-09

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
5,956		

Magisterial District Average: Judicial District Average:

-12	-12.04%	-12.04%
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Magisterial District Average: Class of County Average:

9	9.36%	6.81%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
55,319		

Magisterial District Average: Judicial District Average:

9	9.20%	9.20%
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JUDICIAL DISTRICT SUMMARY WORKSHEET

PLEASE SUBMIT ONE COPY OF THE JUDICIAL DISTRICT SUMMARY WORKSHEET.

To enter data, press TAB to move between fields.

I. JUDICIAL DISTRICT NUMBER:	23
A. What is the class of county?	3
B. What is the percentage difference in the average annual caseload between this judicial district and the applicable class of county?	24%
II. PROPOSED ACTIONS:	
A. List existing magisterial districts: 23-1-01, 23-1-02, 23-1-03, 23-1-04, 23-1-05, 23-1-06, 23-2-01, 23-2-02, 23-2-03, 23-2-04, 23-3-01, 23-3-02, 23-3-03, 23-3-04, 23-3-05, 23-3-06, 23-3-07, 23-3-09. MD-23-0-01 is the Berks County Central Arraignment Court or Night Court. MD-23-0-02 is Reading Central Court or the preliminary hearing court for the magisterial districts within the City of Reading. Effective January 2, 2012, MD-23-1-04 was eliminated.	
B. Does this judicial district have an annual average caseload that is ten percent above the average caseload for the applicable class of county?	YES
1. If the answer to II. B. above is NO, are eliminations proposed?	Choose Yes or No
a) List magisterial districts proposed for elimination.	
b) If no eliminations are proposed based on II. B. above, what are the factors for this decision?	
2. If the answer to II. B. above is YES, are eliminations proposed?	NO
a) List magisterial districts proposed for elimination.	
N/A	
C. Are any magisterial districts proposed for reestablishment?	YES
1. List magisterial districts proposed for reestablishment. 23-1-01, 23-1-02, 23-1-03, 23-1-05, 23-1-06, 23-2-01, 23-2-02, 23-2-03, 23-2-04, 23-3-01, 23-3-02, 23-3-03, 23-3-04, 23-3-05, 23-3-06, 23-3-07, and 23-3-09 as per the Supreme Court Order dated February 15, 2011.	

AOPC

JUDICIAL DISTRICT SUMMARY WORKSHEET

<p>D. Are any magisterial districts proposed for realignment? 1. List magisterial districts proposed for realignment.</p>	NO
III. NIGHT AND CENTRAL COURT OPERATIONS	
<p>A. Is there a night court operating within the judicial district?</p>	YES
<p>B. Is there a central court operating within the judicial district?</p>	YES
<p>C. Note comments regarding how night, central or other similar court programs impact operations within the judicial district.</p> <p>Berks County Central Arraignment Court (Magisterial District 23-0-01/Night Court) - The BCCAC was created to serve as an after-hours emergency duty court to insure the availability of at least one issuing authority within the 23rd Judicial District. All Magisterial District Judges in the 23rd Judicial District and Senior Magisterial District Judges on temporary assignment in the 23rd Judicial District serve in the Central Arraignment Court in accordance with a duty schedule.</p> <p>When the Central Arraignment Court is open and an issuing authority is present in the Court, the following matters are deemed emergencies and brought before the issuing authority:</p> <ul style="list-style-type: none">- Emergency petitions under the Protection From Abuse Act and the Older Adult Protective Services Act.- Deposits of bail.- Arraigning defendants and setting bail in court cases in which an immediate arraignment is required by law or provided by general rule.- Issuing arrest warrants or search warrants.- Arraigning defendants arrested pursuant to summary warrants for failure to respond to a citation or summons. <p>Reading Central Court (Magisterial District 23-0-02) - Reading Central Court is a centralized preliminary hearing court for the magisterial districts located in the City of Reading (Magisterial District 23-1-02, 23-1-03, 23-1-04 (until 1/2/2012), 23-1-05, 23-2-01 and 23-3-09). Reading Central Court was established for the following reasons:</p> <ul style="list-style-type: none">- To allow for the timely scheduling of preliminary hearings following	

AOPC

JUDICIAL DISTRICT SUMMARY WORKSHEET

preliminary arraignments. The magisterial districts in the City of Reading were having a difficult time complying with Pa.R.Crim. P. No. 540 because of conflicts in scheduling police officers, district attorneys, public defenders and private attorneys. In some instances, the preliminary hearings were not scheduled until months after the preliminary arraignment.

- To allow a district attorney and public defender to be present for every hearing. In the past, police officers represented the Commonwealth during preliminary hearings because district attorneys were unavailable. Centralization has reduced the amount of continuances requested by the public defender because of scheduling conflicts.

- To allow all parties the convenience of appearing in the same location every week. The county courthouse offers a centralized location with a higher level of security than the magisterial district offices. Deputy sheriffs escort incarcerated defendants to and from the cellblock located below the preliminary hearing courtrooms. All other parties are screened by security before entering Reading Central Court.

IV. PUBLIC COMMENT

A. A request for public comment was posted:	YES
B. Comments were received:	YES
C. Comments are attached:	YES

V. ADDITIONAL REMARKS CONCERNING PROPOSAL:

N/A

VI. DATE SUBMITTED TO AOPC: APRIL 27, 2012

VII. PRESIDENT JUDGE NAME: President Judge Jeffrey L. Schmehl

Signature





MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-1-01
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	5,906
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-13%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	8%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD	
A.	Average Total Workload:	50,822
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	0%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	No
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV.	PROPOSED CHANGE:	
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	
V.	MAGISTERIAL DISTRICT INFORMATION:	
A.	Magisterial District Judge Name: Ann L. Young	
B.	Term Expiration (m/d/yyyy):	1-13-2016



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C.	Mandatory Retirement Date (m/d/yyyy):	12-31-2034
D.	Office Location (Street, City and Zip code):	600 East Penn Avenue, Suite 5 Wernersville, PA 19565
E.	Is the office within the boundaries of the magisterial district:	Yes
F.	Is the residence of the magisterial district judge within the boundaries of the magisterial district:	Yes
G.	List any police departments located within this magisterial district:	Heidelberg Township P.D.; Lower Heidelberg Township P.D.; PSU (Berks Campus) Police; Sinking Spring Borough P.D.; South Heidelberg Township P.D.; Spring Township P.D.; Western Berks Regional P.D.
H.	List any major highways within this magisterial district:	Route 422; Route 222; Route 724
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Adamstown Borough; Heidelberg Township; Lower Heidelberg Township; Robesonia Borough; Sinking Spring Borough; South Heidelberg Township; Spring Township; Wernersville Borough
VII.	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
VIII.	ADDITIONAL COMMENTS:	<p>Magisterial District 23-1-01 is made up of four boroughs and four townships. The boroughs in this Magisterial District include Adamstown, Robesonia, Sinking Spring, and Wernersville. The townships include Heidelberg, Lower Heidelberg, South Heidelberg, and Spring Townships. The Magisterial District experienced a 21% increase in population since 2000. The actual increase totaled 8,701, raising the total population to 50,207 residents. Sinking Spring Borough had a significant increase in population increasing by 51.9%. Lower Heidelberg and South Heidelberg Townships had proportionate increases; Lower Heidelberg Township increased by 32.8% and South Heidelberg Township increased by 32.4%. Thereafter, it was Spring Township and Wernersville Borough, each increasing by 16%.</p> <p>The Magisterial District is 64.1 square miles and has a population density of 783</p>



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

people per square mile.

Residential and commercial growth in this Magisterial District appears to have slowed with the economy. For instance, South Heidelberg Township had received plans for a development with 600 townhomes. That plan has since been revised to 300 townhomes and township officials believe it may never develop if the economy does not turn around. Robesonia and Sinking Spring Borough officials reported similar situations. There are plans for residential and/or commercial growth in the Boroughs but the plans will not move forward without a positive change in the economy.

Using workload statistics for 2005-2010, the average total workload for Magisterial District 23-1-01 is in line with the county benchmark indicating an equitable workload with the other magisterial districts in the 23rd Judicial District. Traffic filings in this Magisterial District constitute 59% of the average total caseload. Non-traffic filings represent 16% of the average total caseload followed by civil (9%) and criminal (8%) filings.

A comparison of the average total caseloads for Magisterial District 23-1-01 from 1999-2001 and 2005-2010 reveals an increase of 21%. This percentage increase in average total caseloads is equal to the percentage increase in the population in the Magisterial District since 2000. Over the past six years (2005-2010) the case filings have increased annually with the exception of one year when there was a minimal decrease in the annual case filings. Therefore, if the last 10-year period is indicative of future circumstances, the magisterial district's population may continue to increase, and filings may increase proportionally with the population.

Based on the current average total caseload and the average total workload, it is recommended that this Magisterial District be reestablished as is presently exists.

PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-1-02
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	5,701
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-16%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	4.7%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	67,116
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	33%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Magisterial District 23-1-02 includes City of Reading Wards 2, 3, 10, and 16 and covers 2.0 square miles. The magisterial district had a population increase of 5% since 2000 for a total population of 16,114. The population density is 8,057 people per square mile. If the growth since 2000 is indicative of the next ten-year period, the population in this magisterial district will increase minimally over the next ten years.</p> <p>Magisterial District 23-1-02 was one of six magisterial districts within the City of Reading. Magisterial District 23-1-04, which was also in the City of Reading, was eliminated as of January 2, 2012 reducing the number of magisterial districts to five. Two of the remaining five magisterial districts were realigned. Although this magisterial district was not affected by this change, there are factors to consider</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

that have or will impact this magisterial district's caseload and resulting workload.

When analyzing this magisterial district's average caseload for the period from 2005-2010, non-traffic filings made up 41.2% of the average caseload. Traffic filings were 31% and criminal cases were 10.9% of the average caseload.

In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), as well as 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by the averages derived from statistics from 2005-2010.

Another factor that will impact this court's caseload and workload is the enabling legislation that is currently pending before the Legislature. The Reading Parking Authority wants to pursue a parking court similar to that which is run by the City of Pittsburgh. In order to do so, the Legislature must pass legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system. When enacted, this change will result in a decrease in traffic filings not only for this magisterial district but the other magisterial districts in the City of Reading.

Lastly, it is important to take into account the continued decrease in crime in the City of Reading. At the beginning of 2011 in the State of the City Report, then Mayor Thomas M. McMahon noted that crime had decreased each year since 2006 when a comprehensive crime reduction strategy was implemented. If this trend continues and criminal case filings decrease, the Magisterial District Judge's workload will be further reduced. It is also important to note that preliminary hearings for criminal cases filed in the magisterial districts within the City of Reading are held in Reading Central Court, a centralized preliminary hearing court located in the Berks County Courthouse. As a result, all City magisterial district judges preside over criminal cases filed in the City of Reading regardless of the magisterial district in which it was filed.

Therefore, although the average workload for this magisterial district varies from the average workload for the judicial district by 33%, it is recommended that this magisterial district be reestablished as it presently exists. While the current workload variance is outside the recommended variance of +/-15%, anticipated



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

decreases in filings will lessen the deviation of this Magisterial District Judge’s workload.

IV. PROPOSED CHANGE:

A. Please indicate any proposed change in this magisterial district. Check all that apply.
[checked] Reestablish
[] Realign
[] Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Michael J. Leonardziak

B. Term Expiration (m/d/yyyy): 1-2-2018

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2021

D. Office Location (Street, City and Zip code): 1150 Muhlenberg Street Reading, PA 19602

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district: Reading P.D.

H. List any major highways within this magisterial district: Route 422

VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:

City of Reading Wards 2, 3, 10, 16

VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:

N/A

VIII. ADDITIONAL COMMENTS:

N/A

PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-1-03
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	12,776
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	89%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	135%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	144,924
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	186%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Magisterial District 23-1-03 includes City of Reading Wards 8, 9, 11, and 12. This Magisterial District had a population increase of 13% since 2000 for a total population of 16,577. The magisterial district covers 0.7 square miles.</p> <p>The average workload for Magisterial District 23-1-03 deviates from the county benchmark by 186%. Non-traffic filings are 67% of the average caseload – the largest portion of the average caseload for the period 2005-2010. Traffic filings are 14% of the average caseload, civil filings are 7%, and criminal and landlord/tenant filings are both 4% of the average caseload.</p> <p>A comparison of caseload averages from 1999-2001 and 2005-2010 shows a 38% increase between these periods. Since the period 1999-2001, there has been</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

tremendous growth in non-traffic filings. Most likely, this increase was due to a temporary centralization of truancy filings in this Magisterial District from all schools in the Reading School District as well as the filing method for truancy violations. The non-traffic filings could have increased also as a result of more aggressive prosecution of code violations.

Although there was a temporary centralization of truancy filings in Magisterial District 23-1-03, all truancy violations are now to be filed in the proper magisterial district. However, all truancy violations for Reading High School are filed in this Magisterial District and two citations are filed per violation (one for the parent and one for the child). Currently, the Court is pursuing a truancy initiative with the help of all involved with truant students. A product of this initiative was the Berks County Truancy Reduction Protocol. It “was created to provide a consistent, comprehensive process for Berks County school districts, Magisterial District Judges, and community agencies when working with students who are truant.” It is hoped that the initiative will reduce truancy throughout the County and in no other magisterial district will that be felt more significantly than in Magisterial District 23-1-03. This initiative is still relatively new so its effects will not be felt immediately. However, when the truancy initiative does start yielding results, it should lower the number of non-traffic filings in this Magisterial District and help to equalize filings and workload.

Another possible factor in the increase in non-traffic filings is the aggressive prosecution of code violations. To equalize this caseload will require the Court to work with city administration to file all code violations in the magisterial district in which the property is located. Redirecting these filings should relieve this Magisterial District and further help to equalize the caseload and workload.

When considering magisterial districts within the City of Reading, it is important to take into account the continued decrease in crime in the City of Reading. At the beginning of 2011 in the State of the City Report, then Mayor Thomas M. McMahon noted that crime had decreased each year since 2006 when a comprehensive crime reduction strategy was implemented. If this trend continues and criminal case filings decrease, the Magisterial District Judge’s workload will be reduced as well. It is also important to note that preliminary hearings for criminal cases filed in the magisterial districts within the City of Reading are held in Reading Central Court, a centralized preliminary hearing court located in the Berks County Courthouse. As a result, all City magisterial district



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

judges preside over criminal cases filed in the City of Reading regardless of the magisterial district in which it was filed.

This magisterial district is unique inasmuch as it has the smallest area of the magisterial districts in the City of Reading yet it contains the County's largest high school and Reading City Hall. Realigning this magisterial district by removing either Reading Ward 8 (City Hall) or part of Reading Ward 12 (Reading School District) might only create a disparate caseload and workload in another magisterial district. Therefore, the Court recommends that Magisterial District 23-1-03 be reestablished as it currently exists while the Court tries to equalize the workload by addressing the non-traffic filings from Reading High School and Reading City Hall.

IV. PROPOSED CHANGE:

A. Please indicate any proposed change in this magisterial district. Check all that apply.

- Reestablish
- Realign
- Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Wallace S. Scott

B. Term Expiration (m/d/yyyy): 1-2-2018

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2021

D. Office Location (Street, City and Zip code): 101 North 9th Street, Reading, PA 19601

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district:
Reading P.D.

H. List any major highways within this magisterial district:
N/A



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:
City of Reading Wards 8, 9, 11, 12
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:
N/A
VIII. ADDITIONAL COMMENTS:
N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-1-04
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	30,193
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	346%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	454%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	109,088
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	115%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>The average total workload from 2005-2010 for Magisterial District 23-1-04 should not be included in the workload analysis of the magisterial districts in the 23rd Judicial District. The reason this magisterial district's workload should not be included in the analysis is twofold. First, this magisterial district court was an anomaly. All summary traffic citations for parking violations occurring within magisterial districts 23-1-02, 23-1-03, 23-1-04, 23-1-05, 23-2-01, or 23-3-09 of the City of Reading, wherein the citation was filed after 4:00 PM on March 10, 1995, were filed in Magisterial District 23-1-04. The consolidation of these filings accounted for this magisterial district's extreme deviation (115%) from the judicial district's average total workload. Originally, the consolidation of parking violations in this magisterial district was a successful centralization of filings. Parking authority officials had to report to only one location for hearings and due</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

to the make-up of the caseload for this magisterial district, there was a concentrated effort to pursue the numerous defendants and secure payment for fines and costs. However, after a review of the magisterial district court in 2009 it appeared that it was time for the Court to decentralize the parking citations. Therefore, in December 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing the filing of the parking citations.

The elimination of Magisterial District 23-1-04 is the second reason for recommending the exclusion of this magisterial district's average total workload from the analysis for the judicial district. In 2010, following MDJ Thomas H. Xavios' announcement that he was retiring, President Judge Schmehl proposed the elimination of Magisterial District 23-1-04. The President Judge's proposal was approved and Magisterial District 23-1-04 was eliminated as of January 2, 2012.

IV. PROPOSED CHANGE:

A. Please indicate any proposed change in this magisterial district. Check all that apply.

- Reestablish
 Realign
 Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: N/A

B. Term Expiration (m/d/yyyy): N/A

C. Mandatory Retirement Date (m/d/yyyy): N/A

D. Office Location (Street, City and Zip code): N/A

E. Is the office within the boundaries of the magisterial district: N/A

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: N/A

G. List any police departments located within this magisterial district:
N/A

H. List any major highways within this magisterial district:
N/A



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:
N/A
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:
N/A
VIII. ADDITIONAL COMMENTS:
N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-1-05
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	4112
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-39%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-24%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	42,214
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-17%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>The average total workload from 2005-2010 for Magisterial District 23-1-05 should not be included in the workload analysis of the magisterial districts in the 23rd Judicial District because of the realignment of the magisterial district as of January 2, 2012. In conjunction with the elimination of Magisterial District 23-1-04, Magisterial Districts 23-1-05 and 23-3-09 were both realigned. Magisterial District 23-1-05 was realigned to include Wards 6 and 7. This change will result in caseloads and workloads that would not be reflected in the statistics from 2005-2010.</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

IV. PROPOSED CHANGE:	
A. Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B. What is the proposed effective date (m/d/yyyy):	
V. MAGISTERIAL DISTRICT INFORMATION:	
A. Magisterial District Judge Name: Alvin B. Robinson	
B. Term Expiration (m/d/yyyy):	1-3-2016
C. Mandatory Retirement Date (m/d/yyyy):	12-31-2028
D. Office Location (Street, City and Zip code):	633 Court Street, Reading, PA 19601
E. Is the office within the boundaries of the magisterial district:	Yes
F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	Yes
G. List any police departments located within this magisterial district: Reading Police Department	
H. List any major highways within this magisterial district: Route 222, Route 183, Route 12	
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: City of Reading Wards 6, 7, 15, 19	
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: N/A	
VIII. ADDITIONAL COMMENTS: N/A	
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-1-06
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	5,827
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-14%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	7%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	51,286
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	1%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	No
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Dean R. Patton	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

B.	Term Expiration (m/d/yyyy):	1-5-2014
C.	Mandatory Retirement Date (m/d/yyyy):	12-31-2025
D.	Office Location (Street, City and Zip code):	3607 Pottsville Pike Reading, PA 19605
E.	Is the office within the boundaries of the magisterial district:	Yes
F.	Is the residence of the magisterial district judge within the boundaries of the magisterial district:	Yes
G.	List any police departments located within this magisterial district:	Laureldale Borough P.D.; Muhlenberg Township P.D.
H.	List any major highways within this magisterial district:	Route 222; Route 61; Route 12; Kutztown Road
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Laureldale Borough; Muhlenberg Township
VII.	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
VIII.	ADDITIONAL COMMENTS:	<p>It is recommended that Magisterial District 23-1-06 be reestablished as it presently exists.</p> <p>Muhlenberg Township and Laureldale Borough make up this magisterial district which covers 12.6 square miles. Muhlenberg Township occupies 11.8 square miles, or 94% of the magisterial district, and surrounds Laureldale Borough. The population in Muhlenberg Township increased by 20.4% in a comparison of the 2000 and 2010 population data. Laureldale Borough experienced only a 4% increase in population in the same time frame.</p> <p>At the time of the previous reestablishment, Magisterial District 23-1-06 had an average caseload of 4,118 when considering the court’s annual caseloads from 1999-2001. The court’s average caseload for the period from 2005-2010 was 5,827, a 42% increase over the 1999-2001 average caseload. If population and filing trends continue similarly, the magisterial district could continue to see an increase in population, filings, and workload over the next ten years. However, there are factors to consider that may make potential increases less significant than in the past. One factor to consider is residential growth. In Muhlenberg</p>



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

Township's 2003 Comprehensive Plan, an analysis was conducted for residential development. A part of that analysis concluded that the Township could be built-out within the next 20-30 years. The Township Manager confirmed that the Township is nearing that point. There are still a number of approved subdivisions in the Township where houses have not yet been constructed but it is not anticipated that any building will take place in those subdivisions any time in the near future. Therefore, if residential development and population growth level off, it is fair to assume that the district court's caseload may level off similarly. Another factor to consider is the loss of businesses that Muhlenberg Township has experienced. Presently, the Township is conducting a federally funded study to look at the interaction of land use and transportation on the Fifth Street Highway, the Township's major commercial stretch. The study is expected to take a year to complete and the Township is hoping to attract businesses back to the area. Similar to the impact of residential development, the loss of businesses in the area could also impact the district court's caseload. As a result, it is not recommended that any portion of Muhlenberg Township be realigned to another magisterial district. The workload appears to be equitable and it does not appear that residential growth or commercial development in this district will impact the caseload or workload so as to require a change to this magisterial district at this time.

PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-2-01
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	5,226
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-23%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-4%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD	
A.	Average Total Workload:	55,302
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	9%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	No
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV.	PROPOSED CHANGE:	
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	
V.	MAGISTERIAL DISTRICT INFORMATION:	
A.	Magisterial District Judge Name: Stuart D. Kennedy	
B.	Term Expiration (m/d/yyyy):	1-3-2016



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

tremendous growth in non-traffic filings. Most likely, this increase was due to a temporary centralization of truancy filings in this Magisterial District from all schools in the Reading School District as well as the filing method for truancy violations. The non-traffic filings could have increased also as a result of more aggressive prosecution of code violations.

Although there was a temporary centralization of truancy filings in Magisterial District 23-1-03, all truancy violations are now to be filed in the proper magisterial district. However, all truancy violations for Reading High School are filed in this Magisterial District and two citations are filed per violation (one for the parent and one for the child). Currently, the Court is pursuing a truancy initiative with the help of all involved with truant students. A product of this initiative was the Berks County Truancy Reduction Protocol. It “was created to provide a consistent, comprehensive process for Berks County school districts, Magisterial District Judges, and community agencies when working with students who are truant.” It is hoped that the initiative will reduce truancy throughout the County and in no other magisterial district will that be felt more significantly than in Magisterial District 23-1-03. This initiative is still relatively new so its effects will not be felt immediately. However, when the truancy initiative does start yielding results, it should lower the number of non-traffic filings in this Magisterial District and help to equalize filings and workload.

Another possible factor in the increase in non-traffic filings is the aggressive prosecution of code violations. To equalize this caseload will require the Court to work with city administration to file all code violations in the magisterial district in which the property is located. Redirecting these filings should relieve this Magisterial District and further help to equalize the caseload and workload.

When considering magisterial districts within the City of Reading, it is important to take into account the continued decrease in crime in the City of Reading. At the beginning of 2011 in the State of the City Report, then Mayor Thomas M. McMahon noted that crime had decreased each year since 2006 when a comprehensive crime reduction strategy was implemented. If this trend continues and criminal case filings decrease, the Magisterial District Judge’s workload will be reduced as well. It is also important to note that preliminary hearings for criminal cases filed in the magisterial districts within the City of Reading are held in Reading Central Court, a centralized preliminary hearing court located in the Berks County Courthouse. As a result, all City magisterial district



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

judges preside over criminal cases filed in the City of Reading regardless of the magisterial district in which it was filed.

This magisterial district is unique inasmuch as it has the smallest area of the magisterial districts in the City of Reading yet it contains the County's largest high school and Reading City Hall. Realigning this magisterial district by removing either Reading Ward 8 (City Hall) or part of Reading Ward 12 (Reading School District) might only create a disparate caseload and workload in another magisterial district. Therefore, the Court recommends that Magisterial District 23-1-03 be reestablished as it currently exists while the Court tries to equalize the workload by addressing the non-traffic filings from Reading High School and Reading City Hall.

IV. PROPOSED CHANGE:

A. Please indicate any proposed change in this magisterial district. Check all that apply.

- Reestablish
 Realign
 Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Wallace S. Scott

B. Term Expiration (m/d/yyyy): 1-2-2018

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2021

D. Office Location (Street, City and Zip code): 101 North 9th Street, Reading, PA 19601

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district:
Reading P.D.

H. List any major highways within this magisterial district:
N/A



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:
City of Reading Wards 8, 9, 11, 12
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:
N/A
VIII. ADDITIONAL COMMENTS:
N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-2-02
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	5,353
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-21%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-2%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	44,682
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-12%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	No
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Timothy M. Dougherty	
B.	Term Expiration (m/d/yyyy):	1-2-2018



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (<i>m/d/yyyy</i>):	12-31-2029
D. Office Location (Street, City and Zip code):	401 Walnut Street West Reading, PA 19611
E. Is the office within the boundaries of the magisterial district:	Yes
F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	Yes
G. List any police departments located within this magisterial district:	Penn State Berks P.D.; West Reading Borough P.D.; Wyomissing Borough P.D.
H. List any major highways within this magisterial district:	Route 422; Route 222; Route 12; Business Route 422 (Penn Avenue)
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	West Reading Borough; Wyomissing Borough
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	N/A
VIII. ADDITIONAL COMMENTS:	N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-2-03
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	5,330
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-21%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-2%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	43,083
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-15%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	No
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	N/A
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Phyllis J. Kowalski	
B.	Term Expiration (m/d/yyyy):	1-3-2016



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (<i>m/d/yyyy</i>):	12-31-2020
D. Office Location (Street, City and Zip code):	10 Fairlane Road Reading, PA 19606
E. Is the office within the boundaries of the magisterial district:	Yes
F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	Yes
G. List any police departments located within this magisterial district:	Central Berks Regional P.D.; Exeter Township P.D.
H. List any major highways within this magisterial district:	Route 422; Route 562
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Exeter Township; Lower Alsace Township; Mount Penn Borough; St. Lawrence Borough
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	N/A
VIII. ADDITIONAL COMMENTS:	N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-2-04
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	5,133
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-24%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-6%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	35,794
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-29%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Magisterial District 23-2-04 is made up of four municipalities including Cumru Township and the Boroughs of Kenhorst, Mohnton, and Shillington. Since 2000, the population increased in each municipality in this magisterial district. The most significant increase was in Cumru Township where there was a 10% increase. Overall, the population of the magisterial district increased by 7.4%; an actual increase of 1,823 people. According to 2010 Census data, the population totaled 26,340.</p> <p>The magisterial district measures 23.2 square miles. The three Boroughs measure only 2.3 square miles. The Boroughs of Mohnton and Shillington are built out and expect no commercial growth. Kenhorst Borough is a densely populated area. In 2009 the Borough approved a development for 32 homes but there has been no</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

construction due to the current state of the real estate market. Commercially, there is a tract of land along New Holland Road that could be developed but at this time no viable project has been presented to the Borough for consideration. Cumru Township makes up 90% of the district's total land area measuring 20.9 square miles and encompasses Mohnton Borough. According to Township officials, Cumru Township is expecting very little residential growth in the near future. Preliminary approval has been given for subdivisions in the Township but contractors are not submitting for final approval due to the current state of the real estate market. There is not a great deal of commercial growth either. Township officials are hoping for future growth and are working on an economic development plan; however, the current economic climate is making the implementation of such a plan difficult at this time. Improvement in the economy should lead to a return to residential growth in this area although a timeframe is difficult to predict. This area has been a desirable community for people working in or moving from the suburban Philadelphia area and Interstate 176 and Route 422 facilitates travel to this area.

A review of the filings for 1999-2001 reveals that traffic filings constituted 63.1% of the average annual caseload for the three-year period. The average traffic filings for the period 2005-2010 were 73% of the average caseload for the Magisterial District. The increased percentage of traffic filings may be attributed to the Route 222 Corridor as well as Interstate 176, Route 422, and Route 222. A distance of approximately eight miles, the Route 222 Corridor facilitates travel between Berks and Lancaster Counties and is travelled heavily. It is also monitored regularly by law enforcement not only to enforce speed limits but also because of gang violence and drug trafficking along this stretch of highway.

The average number of criminal filings also increased by 18.1% in comparison to the average number filed from 1999-2001, and landlord/tenant filings have nearly doubled. The increase in the landlord/tenant filings resulted from stricter enforcement in the several apartment complexes located in Cumru Township.

A comparison of caseload averages from 1999-2001 and 2005-2010 shows a 65.8% increase between these periods. There is no indication that this magisterial district will experience a decrease in filings over the next ten years and any increase in caseload will diminish the deviation from the county benchmark and produce a more equitable caseload.

In addition to the workload analysis that included the eighteen magisterial districts as they existed prior to January 2, 2012, a second analysis was done which included only average workloads for the twelve magisterial districts outside the City of Reading. During the last reestablishment process, a magisterial district (Magisterial District 23-1-04) was removed from the analysis because the district court's high caseload numbers skewed the analysis for the County. Similarly, it seems appropriate to consider the results of a workload analysis that removes the city magisterial districts for several reasons:

1. Higher than normal caseload numbers in Magisterial District 23-1-04 (then MDJ Thomas H. Xavios) due to the centralization of summary traffic citations for parking violations occurring in magisterial districts within the City of Reading. The centralization of these summary traffic citations began in 1995.
2. In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by statistics from 2005-2010.
3. By Order of President Judge Schmehl, summary traffic citations for parking violations were to be filed in Magisterial District 23-3-09 (the MDJ Deborah P. Lachina) as of January 1, 2011. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
4. The reassignment of summary traffic citations for parking violations in Magisterial District 23-1-03 (MDJ Wally Scott) has not yet occurred but will affect the court's caseload and may result in the reassignment of other cases currently filed in this district court. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
5. Elimination of Magisterial District 23-1-04 (then MDJ Xavios) as of January 2, 2012.
6. Realignment of Magisterial Districts 23-1-05 (MDJ Robinson) and 23-3-09 (MDJ Xavios) will result in caseloads that would not be reflected in the statistics from 2005-2010.
7. The Court's truancy initiative may reduce the number of truancy filings in Magisterial District 23-1-03 (MDJ Scott). This court receives all of the truancy filings from Reading High School.
8. Pending enabling legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system would result in a decrease in traffic filings



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

for the magisterial districts in the City of Reading.

- 9. Criminal cases filed in the magisterial districts in the City of Reading are handled in the Reading Central Court, a preliminary hearing court.

While the workload analysis using all eighteen magisterial districts resulted in a -29% difference between this magisterial district's average total workload and the average total workload for the judicial district, the second analysis resulted in a lesser variance of only -2% indicating an equitable workload. In consideration of the results of both analyses, the significant increase in caseload that the Magisterial District experienced, an expected restart of residential and commercial growth in this area, as well as the anticipated continued growth in caseload due to factors such as the Route 222 Corridor, the Court recommends that Magisterial District 23-2-04 be reestablished as it presently exists.

IV. PROPOSED CHANGE:

- A. Please indicate any proposed change in this magisterial district. Check all that apply. [X] Reestablish, [] Realign, [] Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Nicholas M. Bentz

B. Term Expiration (m/d/yyyy): 1-3-2016

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2012

D. Office Location (Street, City and Zip code): 1786 Welsh Road Mohnton, PA 19540

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district: Cumru Township P.D.; Mohnton Borough P.D.; Shillington Borough P.D. Although Reading P.D. is not located within this Magisterial District, Kenhorst Borough has



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

contracted with Reading P.D. to provide police coverage in the Borough.	
H. List any major highways within this magisterial district: Route 176; Route 422; Route 222; Route 724; Route 625; Route 10	
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Cumru Township; Kenhorst Borough; Mohnton Borough; Shillington Borough
VII.	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: N/A
VIII.	ADDITIONAL COMMENTS: N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-01
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	5,279
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-22%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-3%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD	
A.	Average Total Workload:	31,483
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-38%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Magisterial District 23-3-01 consists of two boroughs and four townships including the Boroughs of Birdsboro and New Morgan and the Townships of Brecknock, Caernarvon, Robeson, and Union. The Magisterial District covers 91 square miles. Each municipality in this Magisterial District had a population increase since 2000. The greatest increase in the number of people occurred in Caernarvon Township where the population increased by 73% or 1,694 people. Overall, the Magisterial District experienced an 11% increase in population, increasing by 2,352 people.</p> <p>Although the Borough of Birdsboro and the Townships of Brecknock and Caernarvon do not currently have plans for residential growth, it does appear that growth could continue in this Magisterial District based on the preliminary approval of several developments in Robeson Township. According to the</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

Township Manager, the Township gave preliminary approval for the following:

- Grande Construction – 500 homes
- Oak Grove Partners – 40 homes
- Greth Homes – 140 homes

There is also 220 acres in the Township near Joanna Furnace where 177 units are planned.

With regard to commercial growth in this Magisterial District, the Borough of Birdsboro and the Township of Caernarvon both expect new businesses in their areas.

This continued growth could increase the court's caseload and workload of the Magisterial District Judge.

The average workload for Magisterial District 23-3-01 deviates from the Judicial District's average workload by -38%. However, when comparing only the twelve magisterial districts outside the City of Reading, the workload variance decreases to -14%. Two workload analyses were done for the magisterial districts in the 23rd Judicial District based on the following factors:

1. Higher than normal caseload numbers in Magisterial District 23-1-04 (then MDJ Thomas H. Xavios) due to the centralization of summary traffic citations for parking violations occurring in magisterial districts within the City of Reading. The centralization of these summary traffic citations began in 1995.
2. In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by statistics from 2005-2010.
3. By Order of President Judge Schmehl, summary traffic citations for parking violations were to be filed in Magisterial District 23-3-09 (the MDJ Deborah P. Lachina) as of January 1, 2011. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
4. The reassignment of summary traffic citations for parking violations in

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MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

Magisterial District 23-1-03 (MDJ Wally Scott) has not yet occurred but will affect the court's caseload and may result in the reassignment of other cases currently filed in this district court. The resulting change in caseload would not be reflected in the statistics from 2005-2010.

5. Elimination of Magisterial District 23-1-04 (then MDJ Xavios) as of January 2, 2012.
6. Realignment of Magisterial Districts 23-1-05 (MDJ Robinson) and 23-3-09 (MDJ Xavios) will result in caseloads that would not be reflected in the statistics from 2005-2010.
7. The Court's truancy initiative may reduce the number of truancy filings in Magisterial District 23-1-03 (MDJ Scott). This court receives all of the truancy filings from Reading High School.
8. Pending enabling legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system would result in a decrease in traffic filings for the magisterial districts in the City of Reading.
9. Criminal cases filed in the magisterial districts in the City of Reading are handled in the Reading Central Court, a preliminary hearing court. Magisterial district judges from the City are assigned to this court on a rotating basis.

A review of the filings for the period 2005-2010 shows that traffic cases made up that largest percentage of cases accounting for 75% of the caseload. This was an increase from the 1999-2001 timeframe where the caseload consisted of 64% traffic cases. Non-traffic filings represent 12% of the average caseload and 4% is criminal filings. Civil cases are 4% of the average caseload, private criminal complaints make up 3%, and the remaining 2% is made up of landlord/tenant and miscellaneous filings.

A comparison of caseload averages from 1999-2001 and 2005-2010 shows a decrease of .3% for this Magisterial District. According to the statistics, case filings did not keep pace with the population growth. The average number of traffic filings did increase by 17% and the average number of civil filings remained the same; however, the remaining average number of criminal, non-traffic, private criminal, and landlord/tenant filings decreased. It is possible that future residential and commercial growth in this area may impact the caseload and workload for Magisterial District 23-3-01.

While the workload analysis using all eighteen magisterial districts resulted in a -



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

38% difference between this magisterial district’s average total workload and the average total workload for the judicial district, the second analysis resulted in a -14% variance which is an acceptable variance in accordance with the reestablishment guidelines and indicates an equitable workload. In consideration of the results of both analyses as well as the possibility for residential and commercial growth which could impact the caseload and workload in this Magisterial District, the Court recommends that Magisterial District 23-3-01 be reestablished as it presently exists.

IV. PROPOSED CHANGE:

- A. Please indicate any proposed change in this magisterial district. Check all that apply.
 - Reestablish
 - Realign
 - Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: David E. Glass

B. Term Expiration (m/d/yyyy): 1-2-2018

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2026

D. Office Location (Street, City and Zip code): 321 North Furnace Street, Suite 180, Birdsboro, PA 19508

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district: Birdsboro Borough P.D.; Brecknock Township P.D.; Caernarvon Township P.D.; Robeson Township P.D.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

H. List any major highways within this magisterial district: Route 76; Route 176; Route 724; Route 10; Route 345; Route 23	
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Birdsboro Borough; Brecknock Township; Caernarvon Township, New Morgan Borough; Robeson Township; Union Township
VII.	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: N/A
VIII.	ADDITIONAL COMMENTS: N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-02
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	3,825
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-44%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-30%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	30,264
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-40%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>It is recommended that Magisterial District 23-3-02 be reestablished as it presently exists. This magisterial district had a 1.5% population increase since 2000. The actual increase of 365 people brought the total population to 24,473 people. There are eight municipalities in this magisterial district. Three of those municipalities had slight population decreases and five municipalities had population increases. The most significant increase was in Washington Township where the population increased by 13.6%.</p> <p>This magisterial district covers 66 square miles. There are three boroughs in this magisterial district including Bally, Bechtelsville, and Boyertown. The boroughs are basically built out and no commercial growth is anticipated. The townships in this magisterial district include Colebrookdale, Douglass, Earl, Hereford, and</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

Washington. There is land in some of these townships for residential or commercial expansion but it appears that the current economic climate has halted growth at this time. Colebrookdale Township has large parcels of open land but has received no proposals for development. Douglass Township had approved a subdivision that would accommodate 40 single homes but that has not yet been completed. Similarly, Hereford Township has approved some subdivisions in the Township but construction has not yet begun. Improvement in the economy should lead to a return to residential growth in some of these townships although a timeframe is difficult to predict.

The average workload for Magisterial District 23-3-02 deviates from the Judicial District's average workload by -40%, which is outside the +/-15% deviation suggested by the Reestablishment Guidelines. However, a variance of only 17% resulted from a second analysis which included only average workloads for the twelve magisterial districts outside the City of Reading. The second analysis was done because it appeared that two of the city districts' caseloads/workloads skewed the analysis and recent changes to the city magisterial districts were not accounted for in an analysis including all eighteen magisterial districts as they existed prior to January 2, 2012. Therefore, in an effort to further gauge the equity of workloads the second analysis was completed. Numbers 1 through 9 below further detail why a second analysis removing the city magisterial districts was done:

1. Higher than normal caseload numbers in Magisterial District 23-1-04 (then MDJ Thomas H. Xavios) due to the centralization of summary traffic citations for parking violations occurring in magisterial districts within the City of Reading. The centralization of these summary traffic citations began in 1995.
2. In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by statistics from 2005-2010.
3. By Order of President Judge Schmehl, summary traffic citations for parking violations were to be filed in Magisterial District 23-3-09 (the MDJ Deborah P. Lachina) as of January 1, 2011. The resulting change in caseload would not be reflected in the statistics from 2005-2010.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

4. The reassignment of summary traffic citations for parking violations in Magisterial District 23-1-03 (MDJ Wally Scott) has not yet occurred but will affect the court's caseload and may result in the reassignment of other cases currently filed in this district court. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
5. Elimination of Magisterial District 23-1-04 (then MDJ Xavios) as of January 2, 2012.
6. Realignment of Magisterial Districts 23-1-05 (MDJ Robinson) and 23-3-09 (MDJ Xavios) will result in caseloads that would not be reflected in the statistics from 2005-2010.
7. The Court's truancy initiative may reduce the number of truancy filings in Magisterial District 23-1-03 (MDJ Scott). This court receives all of the truancy filings from Reading High School.
8. Pending enabling legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system would result in a decrease in traffic filings for the magisterial districts in the City of Reading.
9. Criminal cases filed in the magisterial districts in the City of Reading are handled in the Reading Central Court, a preliminary hearing court.

Magisterial District 23-3-02's caseload statistics from 1999-2001 showed the average annual caseload consisting of 64% traffic filings, 16.4% non-traffic filings, and 17.4% criminal and civil filings combined. The remaining 2% of the average annual caseload consisted of private criminal complaints and landlord/tenant filings. In comparison with average caseload statistics from 2005-2010, the Magisterial District's caseload seems to be made up of very similar percentages of case types – 61% traffic filings, 13% non-traffic filings, 21% criminal and civil filings. The remaining 5% is made up of private criminal, landlord/tenant, and miscellaneous filings. While the percentages of case types remained relatively consistent, the total average caseload increased by 46%. The average number of civil cases from 2005-2010 (569) more than doubled compared to the average number of civil cases from 1999-2001 (250). The average number of traffic filings from 2005-2010 increased by 39.4%, non-traffic filings increased by 17.7%, and criminal filings increased by 12.2% when comparing figures from the same years.

While the workload analysis using all eighteen magisterial districts resulted in a -40% difference between this magisterial district's average total workload and the average total workload for the judicial district, the second analysis resulted in a lesser variance of only -17% indicating an relatively equitable caseload.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

Furthermore, this Magisterial District experienced a notable increase in its average caseload and there is no indication that a decrease in filings will occur in the foreseeable future. In consideration of the results of both analyses as well as the increase in caseload/workload that the Magisterial District experienced, the Court recommends that Magisterial District 23-3-02 be reestablished as it presently exists.

IV. PROPOSED CHANGE:

- A. Please indicate any proposed change in this magisterial district. Check all that apply. [X] Reestablish, [] Realign, [] Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Michael G. Hartman

B. Term Expiration (m/d/yyyy): 1-2-2018

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2024

D. Office Location (Street, City and Zip code): 100 Schaeffer Street, Suite 2, Boyertown, PA 19512

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district: Bally Borough P.D.; Boyertown Borough P.D.; Colebrookdale Township P.D.; Douglass Township Berks P.D.

H. List any major highways within this magisterial district: Route 100; Route 73; Route 562

VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:

Bally Borough; Bechtelsville Borough; Boyertown Borough; Colebrookdale Township; Douglass Township; Earl Township; Hereford Township; Washington Township



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:
N/A
VIII. ADDITIONAL COMMENTS:
N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-03
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	4,191
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-38%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-23%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	35,263
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-30%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Two workload analyses were done for the magisterial districts in the 23rd Judicial District. The first analysis included all of the magisterial districts' workloads. The second analysis included only average workloads for the twelve magisterial districts outside the City of Reading. During the last reestablishment process, Magisterial District 23-1-04 was removed from the analysis because the district court's high caseload numbers resulting from a centralized parking caseload skewed the analysis for the County. Similarly, it seems appropriate to consider the results of a workload analysis that removes the city magisterial districts for several reasons:</p> <ol style="list-style-type: none"> Higher than normal caseload numbers in Magisterial District 23-1-04 (then MDJ Thomas H. Xavios) due to the centralization of summary traffic citations for parking violations occurring in magisterial districts within the 	

City of Reading. The centralization of these summary traffic citations began in 1995.

2. In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by statistics from 2005-2010.
3. By Order of President Judge Schmehl, summary traffic citations for parking violations were to be filed in Magisterial District 23-3-09 (then MDJ Deborah P. Lachina) as of January 1, 2011. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
4. The reassignment of summary traffic citations for parking violations in Magisterial District 23-1-03 (MDJ Wally Scott) has not yet occurred but will affect the court's caseload and may result in the reassignment of other cases currently filed in this district court. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
5. Elimination of Magisterial District 23-1-04 (then MDJ Xavios) as of January 2, 2012.
6. Realignment of Magisterial Districts 23-1-05 (MDJ Robinson) and 23-3-09 (MDJ Xavios) will result in caseloads that would not be reflected in the statistics from 2005-2010.
7. The Court's truancy initiative may reduce the number of truancy filings in Magisterial District 23-1-03 (MDJ Scott). This court receives all of the truancy filings from Reading High School.
8. Pending enabling legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system would result in a decrease in traffic filings for the magisterial districts in the City of Reading.
9. Criminal cases filed in the magisterial districts in the City of Reading are handled in the Reading Central Court, a centralized preliminary hearing court.

While the workload analysis using all eighteen magisterial districts resulted in a -30% difference between this magisterial district's average total workload and the average total workload for the judicial district, the second analysis resulted in only a -3% variance. In consideration of the results of both analyses, the Court recommends that Magisterial District 23-3-03 be reestablished as it presently

exists.

Since 2000, this magisterial district had a 56.3% population increase, an actual increase of 4,290 people. The magisterial district contains one borough and eight townships and covers 134 square miles. It is one of the largest magisterial districts in the 23rd Judicial District based on its square mileage and extends from the Lehigh County line almost through to Chester and Montgomery Counties. Eight of the municipalities had population increases when comparing the population data from 2000 and 2010. The most significant population increase occurred in Amity Township where the population increased by 42%. On its website, Amity Township touts its proximity to major cities like Philadelphia and New York as attractive to commuters. Currently, the Township is experiencing a lack of residential or commercial growth according to the Township Manager. Unlike Longswamp and Oley Townships where land preservation is the goal, Amity Township would like to see residential and commercial growth continue. When that occurs and commercial and residential growth result in population increases, the caseload in this magisterial district will likely increase narrowing the variance in workloads to create an even more comparable workload for this Magisterial District Judge.

Amity Township was added to this magisterial district during the last magisterial district reestablishment to provide equity in the number of filings in this district. The average annual caseload for this magisterial district for 1999-2001 was 1,954. A comparison of the magisterial district's average caseload from 2005-2010 (4,191) shows a 114.5% increase. It is anticipated that annual caseloads and the resulting workloads will continue to increase based on anticipated growth in this magisterial district, Amity Township in particular. While the workload analysis using all eighteen magisterial districts show this magisterial district outside the +/- 15% suggested variance, it is anticipated that this variance will continue to narrow with growth in this area.

IV. PROPOSED CHANGE:

- | | |
|--|--|
| <p>A. Please indicate any proposed change in this magisterial district. Check all that apply.</p> | <p><input checked="" type="checkbox"/> Reestablish
 <input type="checkbox"/> Realign
 <input type="checkbox"/> Eliminate</p> |
|--|--|

B. What is the proposed effective date (m/d/yyyy):



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

V. MAGISTERIAL DISTRICT INFORMATION:
A. Magisterial District Judge Name: Victor M. Frederick, IV
B. Term Expiration (m/d/yyyy): 1-2-2018
C. Mandatory Retirement Date (m/d/yyyy): 12-31-2036
D. Office Location (Street, City and Zip code): 26 Scholl Drive, P.O. Box 18, Oley, PA 19547
E. Is the office within the boundaries of the magisterial district: Yes
F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes
G. List any police departments located within this magisterial district: Amity Township P.D.; Oley Township P.D.
H. List any major highways within this magisterial district: Route 12; Route 422; Route 662; Route 73
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Alsace Township; Amity Township; District Township; Longswamp Township; Oley Township; Pike Township; Rockland Township; Ruscombmanor Township; Topton Borough
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: N/A
VIII. ADDITIONAL COMMENTS: N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-04
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	3,262
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-52%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-40%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD	
A.	Average Total Workload:	29,015
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-43%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Magisterial District 23-3-04 is made up of three boroughs and two townships including the Boroughs of Fleetwood, Kutztown, and Lyons and the Townships of Maxatawny and Richmond. The population in the magisterial district has increased to 20,878 people which is a 9.5% increase since 2000. The largest population increase within the magisterial district was in Maxatawny Township where the population increased by 32.2% since 2000. This district covers 52 square miles. With a population of 20,878, the population density is 402 people per square mile. While there is room for residential or commercial growth in some of the municipalities in this Magisterial District, it appears that there will be only minimal growth in the foreseeable future. Maxatawny Township has open land for development but Township officials have received no residential development proposals. The Township does have some commercial growth</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

proposed in the form of a shopping center including a grocery store and smaller retail stores. The Borough of Kutztown has an approved subdivision but homes are not being constructed on the lots at this time. Borough officials see this subdivision moving forward when the economy improves. The Borough also has a large parcel of farmland that is zoned residential but at this point there are no proposals to subdivide or develop the land. It is important to note that Kutztown University is located within this magisterial district. According to its website, the number of graduate and undergraduate students as of the University's fall 2011 reporting date was 10,283 students. While the population totals for this magisterial district would not account for students attending the University, it is an important statistic to consider when looking at this Magisterial District.

The average annual workload for Magisterial District 23-3-04 deviates from the county benchmark by -43% when including all eighteen magisterial districts in the analysis. However, when conducting the analysis using only the magisterial districts outside the City of Reading, the variance decreases to -20%. There are several reasons why the second analysis was completed:

1. Higher than normal caseload numbers in Magisterial District 23-1-04 (then MDJ Thomas H. Xavios) due to the centralization of summary traffic citations for parking violations occurring in magisterial districts within the City of Reading. The centralization of these summary traffic citations began in 1995.
2. In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by statistics from 2005-2010.
3. By Order of President Judge Schmehl, summary traffic citations for parking violations were to be filed in Magisterial District 23-3-09 (the MDJ Deborah P. Lachina) as of January 1, 2011. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
4. The reassignment of summary traffic citations for parking violations in Magisterial District 23-1-03 (MDJ Wally Scott) has not yet occurred but will affect the court's caseload and may result in the reassignment of other cases currently filed in this district court. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
5. Elimination of Magisterial District 23-1-04 (then MDJ Xavios) as of January

2, 2012.

6. Realignment of Magisterial Districts 23-1-05 (MDJ Robinson) and 23-3-09 (MDJ Xavios) will result in caseloads that would not be reflected in the statistics from 2005-2010.
7. The Court's truancy initiative may reduce the number of truancy filings in Magisterial District 23-1-03 (MDJ Scott). This court receives all of the truancy filings from Reading High School.
8. Pending enabling legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system would result in a decrease in traffic filings for the magisterial districts in the City of Reading.
9. Criminal cases filed in the magisterial districts in the City of Reading are handled in the Reading Central Court, a preliminary hearing court.

Magisterial District 23-3-04's average caseload is 53% traffic filings for the 2005-2010 period. This decreased from the 1999-2001 period when traffic filings made up 68% of the average caseload. Average criminal filings remained relatively constant but the average number of non-traffic filings increased from 19% to 26%. Overall, the Magisterial District's average caseload decreased by 18% when comparing the average caseload from 2005-2010 to the average caseload from 1999-2001. However, there is no indication that this trend will continue.

While the workload analysis using all eighteen magisterial districts resulted in a -43% difference between this magisterial district's average total workload and the average total workload for the judicial district, the second analysis resulted in a lesser variance of -20% placing the workload nominally outside the recommended variance and indicating a relatively equitable caseload. With no reason for the slight decrease in the Magisterial District's average caseload and no indication that a decrease in filings will continue, it is anticipated that the District's average caseload and resulting workload will rebound and narrow the variance even further. As a result, the Court recommends that Magisterial District 23-3-04 be reestablished as it presently exists.

IV. PROPOSED CHANGE:

A. Please indicate any proposed change in this magisterial district. Check all that apply.

- Reestablish
- Realign
- Eliminate



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

B. What is the proposed effective date (m/d/yyyy):	
V. MAGISTERIAL DISTRICT INFORMATION:	
A. Magisterial District Judge Name: Gail M. Greth	
B. Term Expiration (m/d/yyyy):	1-2-2018
C. Mandatory Retirement Date (m/d/yyyy):	12-31-2024
D. Office Location (Street, City and Zip code):	110 West Arch Street, Suite 118 Fleetwood, PA 19522
E. Is the office within the boundaries of the magisterial district:	Yes
F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	Yes
G. List any police departments located within this magisterial district: Berks-Lehigh Regional P.D.; Fleetwood Borough P.D.; Kutztown P.D.; Kutztown University Police; Richmond Township P.D.	
H. List any major highways within this magisterial district: Route 222; Route 662	
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
Fleetwood Borough; Kutztown Borough; Lyons Borough; Maxatawny Township; Richmond Township	
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
N/A	
VIII. ADDITIONAL COMMENTS:	
N/A	
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-05
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	6033
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-11%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	11%
III. BREAKDOWN OF MAGISTERIAL DISTRICT – WORKLOAD		
A.	Average Total Workload:	36,492
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-28%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>It is recommended that Magisterial District 23-3-05 be reestablished as it presently exists. This magisterial district had an 18% population increase, growing by 3,619 people. The district includes two boroughs and four townships and covers 64 square miles resulting in a population density of 374 people per square mile. Within the magisterial district, Maiden creek Township experienced the largest growth in population increasing by 39.3% or 2,573 people since 2000. Ontelaunee Township was a close second as far as its population increase. Ontelaunee Township increased by 35.3% or 429 people. Both of these townships may experience future growth as well. Maiden creek Township has two developments in the planning stages. Those developments would accommodate 75 homes. Ontelaunee Township has two subdivisions which will add 213 units to</p>	

the Township.

Both the Borough of Centerport and Centre Township experienced population increases, increasing by 18.3% and 11.2% respectively. It does not appear that these two municipalities will experience any significant residential or commercial growth in the foreseeable future. Experiencing less significant population increases were the Borough of Leesport which had a 6.3% increase in population and Bern Township which grew by only .6%. While the Borough of Leesport does not anticipate any residential or commercial growth, Bern Township does have some projects in land development. According to a Township official, these projects are going through the planning process and will take some time to develop. Bern Township is also anticipating that one or two businesses may be built. The anticipated growth in Bern, Maiden creek, and Ontelaunee Townships may increase the caseload/workload in this magisterial district. Additionally, work by the Pennsylvania Department of Transportation on Route 222 North may impact traffic filings in this Magisterial District. PennDot is considering options for Route 222 to relieve traffic congestion along the highway which runs through Maiden creek Township. In a January 6, 2012 article in the Reading Eagle, it was reported that “[B]usiness leaders and politicians in Berks have long pushed for widening the northern stretch of Route 222, the main route from Reading to Allentown. The latest proposal calls for expanding the two-lane highway to four lanes, separated by either a median or center turning lane. The county commissioners went as far as to commit to contributing \$5 million toward the project if PennDOT takes it on.”

When comparing workloads for Magisterial District 23-3-05 and other magisterial districts in the 23rd Judicial District, two workload analyses were completed. The first analysis included all of the magisterial districts’ workloads. The second analysis included only average workloads for the twelve magisterial districts outside the City of Reading. It seemed appropriate to consider the results of a workload analysis that removes the city magisterial districts for several reasons:

1. Higher than normal caseload numbers in Magisterial District 23-1-04 (then MDJ Thomas H. Xavios) due to the centralization of summary traffic citations for parking violations occurring in magisterial districts within the City of Reading. The centralization of these summary traffic citations began in 1995.
2. In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in

the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by statistics from 2005-2010.

3. By Order of President Judge Schmehl, summary traffic citations for parking violations were to be filed in Magisterial District 23-3-09 (the MDJ Deborah P. Lachina) as of January 1, 2011. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
4. The reassignment of summary traffic citations for parking violations in Magisterial District 23-1-03 (MDJ Wally Scott) has not yet occurred but will affect the court's caseload and may result in the reassignment of other cases currently filed in this district court. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
5. Elimination of Magisterial District 23-1-04 (then MDJ Xavios) as of January 2, 2012.
6. Realignment of Magisterial Districts 23-1-05 (MDJ Robinson) and 23-3-09 (MDJ Xavios) will result in caseloads that would not be reflected in the statistics from 2005-2010.
7. The Court's truancy initiative may reduce the number of truancy filings in Magisterial District 23-1-03 (MDJ Scott). This court receives all of the truancy filings from Reading High School.
8. Pending enabling legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system would result in a decrease in traffic filings for the magisterial districts in the City of Reading.
9. Criminal cases filed in the magisterial districts in the City of Reading are handled in the Reading Central Court, a preliminary hearing court. Magisterial district judges from the City are assigned to this court on a rotating basis.

The workload analysis using all eighteen magisterial districts resulted in a -28% difference between this magisterial district's average workload and the average workload for the judicial district. This variance is slightly outside of the recommended +/-15% variance. The second analysis resulted in a 0% variance, indicating an equitable workload for this Magisterial District.

The average caseload for Magisterial District 23-3-05 for the period 2005-2010 was 6,033. 77% of the average caseload is traffic filings. Non-traffic filings are 12% of the average caseload. Criminal filings account for only 5% of the average



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

caseload. These percentages are nearly identical to the percentages of these filings for the period from 1999-2001. Comparing caseload averages from 1999-2001 and 2005-2010, however, shows a 23% increase in the average caseload for this magisterial district.

Based on the results of the workload analyses and taking into consideration that the Magisterial District will likely experience population growth over the next ten years as well as increased traffic flow through the district and possible commercial growth as a result, it is fair to assume that this Magisterial District will continue to have a steady rise in caseload over the next ten-year period. That increase in caseload should help to equalize the workload even further. As a result, it is recommended that this Magisterial District be reestablished as it currently exists.

IV. PROPOSED CHANGE:

- A. Please indicate any proposed change in this magisterial district. Check all that apply.
- Reestablish
 Realign
 Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Thomas M. Gauby, Sr.

B. Term Expiration (m/d/yyyy): 1-2-2018

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2019

D. Office Location (Street, City and Zip code): 2739 Bernville Road
Leesport, PA 19533

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district:
Bern Township P.D.; Northern Berks Regional P.D.

H. List any major highways within this magisterial district:



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

Route 76; Route 176; Route 724; Route 10; Route 345; Route 23	
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Bern Township; Centerport Borough; Centre Township; Leesport Borough; Maiden creek Township; Ontelaunee Township
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	N/A
VIII. ADDITIONAL COMMENTS:	N/A
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-06
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	4,545
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-33%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-17%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD	
A.	Average Total Workload:	28,235
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-44%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Magisterial District 23-3-06 is made up of three boroughs and five townships including the Boroughs of Hamburg, Lenhartsville, and Shoemakersville and the Townships of Albany, Greenwich, Perry, Tilden, and Windsor. The population in this Magisterial District decreased minimally to 19,574 people which is a 1.7% decrease since 2000. Of the eight municipalities in this Magisterial District, four had population increases. Greenwich Township had the greatest increase. In that Township the population increased by 10% since 2000. This district covers 133 square miles. With a population of 19,574, the population density is 147 people per square mile.</p> <p>There is room for residential and commercial growth in some of the municipalities in this Magisterial District, and it appears that there will be some growth in the</p>	

foreseeable future. Hamburg Borough will be adding 60 apartments. Tilden Township has seen a lot of commercial growth recently in the area surrounding the Cabela's Store in Hamburg. There is a shopping center including a Walmart, Lowes, and other smaller stores and restaurants. There is also discussion about adding another hotel in that area. Interstate 78 and Route 61 intersect right at this area so there is a great deal of traffic coming into Tilden Township. With residential and commercial growth, there is a possibility that the caseload/workload in the Magisterial District will increase as well.

While the workload analysis using all eighteen magisterial districts resulted in a -44% difference between this magisterial district's average workload and the average workload for the judicial district, a second analysis resulted in a -23% variance.

Two workload analyses were done for the magisterial districts in the 23rd Judicial District. The first analysis included all of the magisterial districts' workloads. The second analysis included only average workloads for the twelve magisterial districts outside the City of Reading. It appeared appropriate to consider the results of a workload analysis that removes the city magisterial districts for several reasons:

1. Higher than normal caseload numbers in Magisterial District 23-1-04 (then MDJ Thomas H. Xavios) due to the centralization of summary traffic citations for parking violations occurring in magisterial districts within the City of Reading. The centralization of these summary traffic citations began in 1995.
2. In 2009, President Judge Jeffrey L. Schmehl entered an Order to begin decentralizing summary traffic citations for parking violations occurring in the magisterial districts within the City of Reading. The process began with three magisterial districts in February 2010. This change began impacting the caseloads for Magisterial Districts 23-1-02 (MDJ Michael J. Leonardziak), 23-1-05 (MDJ Alvin B. Robinson), and 23-2-01 (MDJ Stuart D. Kennedy) in 2010 but it would not be reflected by statistics from 2005-2010.
3. By Order of President Judge Schmehl, summary traffic citations for parking violations were to be filed in Magisterial District 23-3-09 (the MDJ Deborah P. Lachina) as of January 1, 2011. The resulting change in caseload would not be reflected in the statistics from 2005-2010.
4. The reassignment of summary traffic citations for parking violations in Magisterial District 23-1-03 (MDJ Wally Scott) has not yet occurred but will affect the court's caseload and may result in the reassignment of other

cases currently filed in this district court. The resulting change in caseload would not be reflected in the statistics from 2005-2010.

5. Elimination of Magisterial District 23-1-04 (then MDJ Xavios) as of January 2, 2012.
6. Realignment of Magisterial Districts 23-1-05 (MDJ Robinson) and 23-3-09 (MDJ Xavios) will result in caseloads that would not be reflected in the statistics from 2005-2010.
7. The Court's truancy initiative may reduce the number of truancy filings in Magisterial District 23-1-03 (MDJ Scott). This court receives all of the truancy filings from Reading High School.
8. Pending enabling legislation which would allow the Reading Parking Authority to establish a parking court to handle parking tickets outside the magisterial district judge system would result in a decrease in traffic filings for the magisterial districts in the City of Reading.
9. Criminal cases filed in the magisterial districts in the City of Reading are handled in the Reading Central Court, a preliminary hearing court. While magisterial district judges from the City are assigned to this court on a rotating basis, magisterial district judges from other magisterial district within Berks County serve in this court as well occasionally.

The average caseload for Magisterial District 23-3-06 consisted of 74% traffic filings for the 2005-2010 period. The large number of traffic filings presumably resulted from strict enforcement by the Pennsylvania State Police and Hamburg Borough P.D. on Interstate 78 and Route 61, two heavily traveled roadways through this district. Collectively, non-traffic and criminal filings made up 15% of the average caseload. A review of the filings from 2005-2010 did not evidence a particular trend except for traffic filings which increased every year except for 2007.

A comparison of caseload averages from 1999-2001 and 2005-2010 shows a correlation between population and caseload. Both had a slight decrease. Magisterial District 23-3-06 experienced a 6% decrease in average caseload between these periods. However, there is no indication that this trend will continue through the next ten-year period.

Based on the results of the workload analyses, the large physical area this Magisterial District covers, the potential growth, the very recent and future commercial growth in Tilden Township, and the anticipated residential growth in Hamburg, the Court recommends that Magisterial District 23-3-06 be



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

reestablished as it presently exists. It is anticipated the annuals caseload will increase thereby increasing the Magisterial District Judge’s workload, to further equalize the workloads among the Magisterial District Judges.

IV. PROPOSED CHANGE:

A. Please indicate any proposed change in this magisterial district. Check all that apply.
[checked] Reestablish
[] Realign
[] Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Kim L. Bagenstose

B. Term Expiration (m/d/yyyy): 1-3-2016

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2035

D. Office Location (Street, City and Zip code): 61 North Third Street, Second Floor, Hamburg, PA 19526

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district: Hamburg Borough P.D.; Tilden Township P.D.

H. List any major highways within this magisterial district: Interstate 78; Route 61; Route 662

VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:

Albany Township; Greenwich Township; Hamburg Borough; Lenhartsville Borough; Perry Township; Shoemakersville Borough; Tilden Township, Windsor Township

VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:

N/A



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

VIII. ADDITIONAL COMMENTS:

N/A

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MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-07
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	3,233
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-52%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-41%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	21,149
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-58%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	Yes
D.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>Magisterial District 23-3-07 experienced a 4% increase in population since 2000, increasing by 902 people. The district includes three boroughs and eight townships and covers 171 square miles resulting in a population density of 126 people per square mile. Within the magisterial district, seven of the municipalities had population increases. The most significant population increase occurred in Jefferson Township where a 23% increase resulted in a total population of 1,977. Four of the municipalities in this Magisterial District, including Bethel, North Heidelberg, Penn, and Tulpehocken Townships, experienced population decreases since 2000.</p> <p>This magisterial district includes an area that is largely rural and agricultural. Based on a map of the area provided by the Berks County Agricultural Land</p>	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

Preservation Board, it appears there are large areas of preserved agricultural lands throughout this Magisterial District. In addition to the farmland preservation initiatives, residential and commercial development is occurring in this area. At 42.2 square miles, Bethel Township occupies approximately a quarter of the district. In a January 26, 2012 article in the Reading Eagle, it was reported that a \$2 million Business in Our Sites loan was approved for the Berks County Industrial Development Authority's Berks Park 78 in Bethel Township. The article stated that "the money, which must aid job creation, will go toward the \$6.4 million cost of infrastructure improvements needed to complete the industrial and commercial complex along Interstate 78. As many as 500 jobs could be created through the project." Senators Argall and Folmer "announced the loan for the project they said would attract new employers and hundreds of jobs to Berks" and surrounding counties. Officials from Tulpehocken Township, which is the next largest municipality in this Magisterial District at 23.49 square miles, stated that the Mountain Meadows project will accommodate 120 homes in the Township when completed. Approximately a dozen homes are already built at the site. Marion Township and Womelsdorf Borough also stated that there was either residential or commercial development in their areas. When completed, the Stonecroft Village in Marion Township will have 214 homes. With the prospect for new jobs and the availability of new housing in the area, this Magisterial District could experience growth in the next 10 year period which could impact the caseload and workload for this Magisterial District Judge.

Using caseload statistics for 2005-2010, the average total caseload for Magisterial District 23-3-07 is 3,233. 74% of the Magisterial District's average total caseload is traffic filings. This percentage is very close to the percentage of traffic filings from the period between 1999-2001. During that three-year period, traffic filings constituted 77% of the average annual caseload. The large number of traffic filings is due to the major roadways that run through this magisterial district, most notably Interstate 78. Non-traffic filings are the next largest case type at 9%. Civil and criminal filings make of the next largest portions of this District's caseload, representing 6% and 5% of the total average caseload respectively. Based on this caseload, the workload for the Magisterial District Judge is 21,149. This total average workload for Magisterial District 23-3-07 varies from the Judicial District's average total workload by -58%.

Based on the total average workload for this Magisterial District, two proposals were considered to provide equity between the workload for this Magisterial



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

District Judge and the workloads of other Magisterial District Judges throughout the Judicial District. First, it was proposed that Magisterial District 23-3-07 be realigned to include Lower Heidelberg Township, a township that is currently included in Magisterial District 23-1-01. After notice was provided regarding this proposed change, Lower Heidelberg Township officials requested a meeting to discuss the negative impact this change would have on the Township. Township officials cited three concerns:

- Additional costs to the Township for police officers' travel time and mileage to MDC 23-3-07.
- Concern for public safety. Township officials estimated that a police officer traveling to MDC 23-3-07 would be out of the Township for at least 30 minutes. Presently, when traveling to MDC 23-1-01, a Lower Heidelberg Township police officer can be back in the Township rather quickly to answer a police call if necessary.
- Adverse impact to residents due to additional travel to access justice.

At a meeting with MDJs Young and Book as well as Lower Heidelberg Township officials to discuss the Township officials' concerns, MDJs Young and Book proposed alternatively that Magisterial District 23-3-07 be realigned to include Heidelberg Township and Robesonia Borough both of which are currently included in Magisterial District 23-1-01. This proposal was sent to the Chiefs of Police for both municipalities for comment. Chief Michael Boyer of the Heidelberg Township Police Department responded on behalf of his police department and the Township's Board of Supervisors. The Chief cited the negative impact of additional travel for police and zoning officers, school officials, and residents to MDC 23-3-07. Robesonia Mayor Randy Gartner opined that moving Heidelberg Township and Robesonia Borough to Magisterial District 23-3-07 was better than the alternative of moving Lower Heidelberg Township. However, Chief Scott Wagner of the Western Berks Regional Police Department and Abby Wertz, President of the Robesonia Borough Council, were not in support of realigning Magisterial District 23-3-07 to include Robesonia Borough. Both Chief Wagner and Ms. Wertz cited the fact that the Western Berks Regional Police Department covers the Boroughs of Robesonia and Wernersville. Realigning Magisterial District 23-3-07 to include Robesonia Borough would mean that Western Berks Regional P.D. would be filing in two district courts and based on the department's close proximity to MDC 23-1-01 it was more cost effective and efficient to continue to file in that district court. District Attorney John Adams



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

echoed those sentiments.

Therefore, in consideration of the concerns raised over the proposals to realign Magisterial District 23-3-07, the current size of this Magisterial District, the growing population, residential construction, and the prospect for new jobs in the area, it is recommended that Magisterial District 23-3-07 be reestablished as it presently exists.

IV. PROPOSED CHANGE:

A. Please indicate any proposed change in this magisterial district. Check all that apply.
[checked] Reestablish
[] Realign
[] Eliminate

B. What is the proposed effective date (m/d/yyyy):

V. MAGISTERIAL DISTRICT INFORMATION:

A. Magisterial District Judge Name: Andrea J. Book

B. Term Expiration (m/d/yyyy): 1-2-2018

C. Mandatory Retirement Date (m/d/yyyy): 12-31-2040

D. Office Location (Street, City and Zip code): 7191 Bernville Road, Bernville, PA 19506

E. Is the office within the boundaries of the magisterial district: Yes

F. Is the residence of the magisterial district judge within the boundaries of the magisterial district: Yes

G. List any police departments located within this magisterial district: Bernville Borough P.D.; Bethel Township P.D.; Tulpehocken Township P.D.; Womelsdorf Borough P.D.

H. List any major highways within this magisterial district: Interstate 78; Route 422; Route 419; Route 183; Route 501

VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:

Bernville Borough; Bethel Township; Jefferson Township; Marion Township; North Heidelberg Township; Penn Township; Strausstown Borough; Tulpehocken Township; Upper Bern Township; Upper Tulpehocken Township; Womelsdorf



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

	Borough
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	N/A
VIII. ADDITIONAL COMMENTS:	N/A
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MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

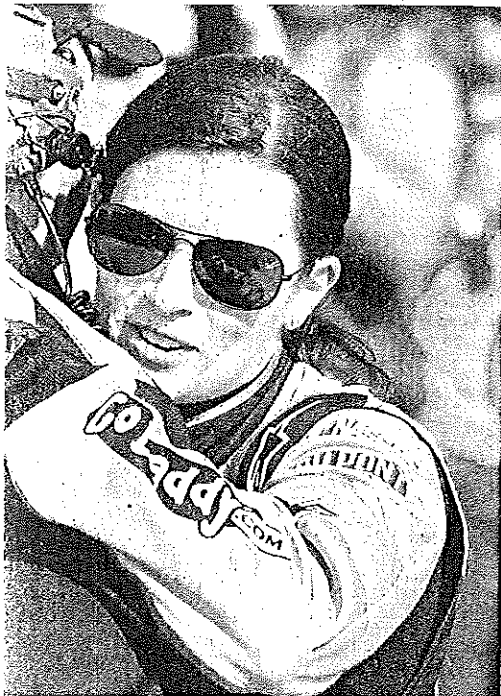
To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	23-3-09
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	5,956
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-12%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	9%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	55,319
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	9%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> the judicial district's average total workload?	No
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Thomas H. Xavios	
B.	Term Expiration (m/d/yyyy):	1-2-2018



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (m/d/yyyy):	12-31-2022
D. Office Location (Street, City and Zip code):	1259 North 10 th Street Reading, PA 19604
E. Is the office within the boundaries of the magisterial district:	Yes
F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	Yes
G. List any police departments located within this magisterial district:	Reading Police Department
	Route 222, Route 61
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	City of Reading Wards 13,14,17
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	N/A
VIII. ADDITIONAL COMMENTS:	The average total workload from 2005-2010 for Magisterial District 23-3-09 should not be included in the workload analysis of the magisterial districts in the 23 rd Judicial District because of the realignment of the magisterial district as of January 2, 2012. In conjunction with the elimination of Magisterial District 23-1-04, Magisterial Districts 23-1-05 and 23-3-09 were both realigned. Magisterial District 23-3-09 was realigned to remove Wards 6 and 7 and add Wards 13 and 17. This change will result in caseloads and workloads that would not be reflected in the statistics from 2005-2010.
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THE ASSOCIATED PRESS

qualifying for Saturday's NASCAR Drive4COPD position for the race.

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her Sprint Cup in the Daytona

wide race is to hree top 10 fin-tionwide races

s. ed a fast lap of ds around the speedway, av- l mph.

Daytona 500 r Bayne quali-olled by El-ale Earnhardt Dillon.

as little, if any, out the qualify-

good for our sport."

■ Keselowski leads practice: Brad Keselowski posted the fastest 10-lap average during Daytona 500 practice Friday, barely edging Kyle Busch.

Keselowski averaged 195.898 mph during the second of two sessions at Daytona International Speedway. Busch averaged 195.895 mph.

Clint Bowyer was third, followed by Tony Stewart, Jeff Gordon, Joey Logano and Mark Martin. Denny Hamlin, Martin Truex Jr. and AJ Allmendinger rounded out the top 10.

Only 16 cars took the track in the morning session, and 23 turned laps in the afternoon.

Eleven drivers, including former Daytona 500 winners Kevin Harvick and Jamie McMurray, didn't even leave the garage. Many teams avoided practice because they don't have backup cars and were wary of causing damage. Drivers have one final

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Reestablishment of Berks County Magisterial Districts

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Clint Bowyer was third, followed by Tony Stewart, Jeff Gordon, Joey Logano and Mark Martin. Denny Hamlin, Martin Truex Jr. and AJ Allmendinger rounded out the top 10.

Only 16 cars took the track in the morning session, and 23 turned laps in the afternoon.

Eleven drivers, including former Daytona 500 winners Kevin Harvick and Jamie McMurray, didn't even leave the garage. Many teams avoided practice because they don't have backup cars and were wary of causing damage.

Drivers have one final chance, a 90-minute session today, to get on track before Sunday's opener.

Elaven drivers, including former Daytona 500 winners Kevin Harvick and Jamie McMurray, didn't even leave the garage. Many teams avoided practice because they don't have backup cars and were wary of causing damage.

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Notice

Reestablishment of Berks County Magisterial Districts

The proposal for the reestablishment of the Berks County Magisterial Districts has been prepared for submission to the Administrative Office of Pennsylvania Courts. The proposal by President Judge Jeffrey L. Schmehl recommends that all but two magisterial districts remain the same. The recommended change is to move Lower Heidelberg Township from Magisterial District 23-1-01 (Magisterial District Judge Ann L. Young) to Magisterial District 23-3-07 (Magisterial District Judge Andrea J. Book).

Copies of the proposal are available for review at all Magisterial District Judge offices as well as Reading Central Court on the 1st Floor of the Berks County Courthouse. Comments on the proposal must be submitted no later than March 26, 2012 to:

Special Courts Administration
First Floor, Courthouse
633 Court Street
Reading, PA 19601

Notice is hereby given that the Board of School Directors of the Tulpehocken Area School District will hold a Curriculum Committee meeting on Tuesday, March 06, 2012 at 6:30 p.m. in the District Office Board Room.

Lisa Hassler
Board Secretary

NOTICE IS HEREBY GIVEN that the Tulpehocken Area School District School Board will hold a special meeting on Tuesday, February 28, 2012 at 6:00 P.M. at the Administration Building of the School District located at 27 Rehersburg Road, Bethel, Pennsylvania to discuss the concept of creating a LERTA tax abatement program.

Lisa Hassler
Board Secretary

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LOWER HEIDELBERG TOWNSHIP

720 BROWNSVILLE ROAD
SINKING SPRING, PENNSYLVANIA 19608

610-678-3393 OFFICE
610-678-6626 FAX

March 20, 2012

President Judge Jeffrey Schmehl
Special Courts Administration
First Floor, Courthouse
633 Court Street
Reading, PA 19601

**Re: Realignment of Berks County Magisterial Districts
Lower Heidelberg Township**

Dear President Judge Schmehl:

We write to express our opposition to the proposed realignment of Magisterial Districts, whereby Lower Heidelberg Township would be removed from Magisterial District 23-3-01 and added to Magisterial District 23-3-07. We object to this proposal for the following reasons.

1. Additional cost to Lower Heidelberg Township. Under the proposal, police officers will be required to travel to D.J. Book's office (Magisterial District 23-3-07), which is in Bernville, as opposed to D.J. Young's office close by on Penn Avenue. Specifically, under the proposal, each police officer trip to the District Justice office will be an additional twelve (12) miles round trip plus an additional twenty (20) minutes of driving time. Using \$75 per hour and the IRS guidelines for mileage, it will cost approximately an additional \$60 per trip. If we assume 150 trips per year (likely, this is a very low estimate), the cost to Lower Heidelberg Township will be at least \$9,000 per year.
2. Safety of the public. D.J. Young's office is across Penn Avenue from our Township's border. As it stands now, Lower Heidelberg Township police officers can simply cross Penn Avenue and be back in Lower Heidelberg Township to answer a call. Under the proposal, each police officer that has to go to D.J. Book's office for whatever reason will be out of Lower Heidelberg Township for approximately thirty (30) minutes, once they leave the Township. (This does not include the time that the officer must remain out of the Township at the District Justice office.) The proposal presents very real staffing concerns, but more importantly it presents very real concerns about the ability of a small police department to respond timely to calls by the public for police assistance.
3. Adverse impact on the residents of Lower Heidelberg Township. Just as the police officers would be adversely impacted by the proposal, so too would the residents of

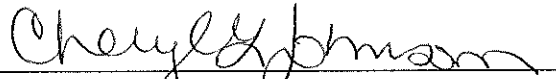
Lower Heidelberg Township have to travel further in order to obtain justice at the "local" District Justice office. Our residents utilize the District Justice Court for small claims matters, and if they are the victim of crime. We understand that traffic tickets are a large part of the District Justice case load; from time to time our citizens must respond to traffic citations. The proposal will work an inconvenience for our residents, costing them additional time and expense to get to and from the proposed new District Justice office.

While we recognize the need to plan, the proposal would create a costly and unmanageable change where none is presently needed. The Magisterial District Reestablishment Worksheet reflects that the proposal is not in response to an existing need, but rather an "anticipated" need: "the Magisterial District's population **may** continue to increase, and filings **may** increase proportionally with the population." There are real and palpable adverse effects to Lower Heidelberg Township and its residents that will be felt immediately if the proposal proceeds. Lower Heidelberg Township makes up only 9% of the average total case load for Magisterial District 23-1-01. Other municipalities served by this Magisterial District are closer to D.J. Book's office. At present, our officers can easily and quickly respond to a call if they are waiting at D.J. Young's office, but they would not be able to do that from D.J. Book's office.

For all the above reasons, we respectfully request that you reconsider the realignment of the Magisterial District offices, as proposed.

Very truly yours,

LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS



Cheryl Johnson, Chairwoman



Deborah Scull, Vice Chairwoman



Neal Nevitt, Member

LOWER HEIDELBERG TOWNSHIP POLICE DEPARTMENT



Thomas Deiterich, Chief of Police

George W. Rhen, Jr. PE, MBA
727 N. Church Road
Sinking Spring, PA 19608-9724

Phone 610-678-3634
Fax 610-678-2299
March 27, 2012

Special Courts Administration
633 Court Street
Reading, PA 19601

Dear Special Courts Administration;

I have reviewed your proposal which would shift 2 county court districts very closely and carefully, and I have very serious concerns with this proposal, thus my recommendations are given with much thought and consideration.

First there are very serious cost and time considerations that must be addressed. I believe if they were addressed this proposal would never been considered and made to be addressed for public comment.

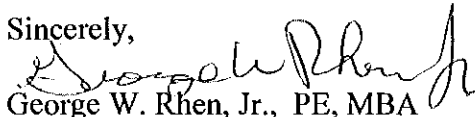
Let me begin by saying the US postal service did a similar study and their proposal is costing our township additional costs. They closed the Sinking Spring Post Office and moved most services to the Wyomissing Post Office. While this appears to save money now the citizens and taxpayers must spend additional time and money to go to the Wyomissing for services.

This is the same effect that I am seeing with this proposal. I am opposed to this proposal! There are other ways to resolve this proposal that will be more cost and time effective.

1. Since there is an imbalance, one option is to have District Judge Andrea J. Book sit at District Judge Ann L. Young location or another location close by (possibly LH township building). (Only one person would incur time, travel and cost considerations.) This would help to reduce the case for District Judge Ann L. Young and at the same time reduce travel time and expenses for the citizens and the township.
2. If the Lower Heidelberg township police must travel to District Judge Andrea J. Book office the township would require additional expenses for travel time and more time for officers' to report to that office. Also, the officers' will require additional time to respond to a need in the township.
3. There are several other options that should be considered before finalizing the proposal that is under consideration. Time and costs for officers must be given a very high priority.

If there are any questions, please contact me at the following telephone number between 8:00 AM and 5:00 PM at 610-678-3634. Thank you.

Sincerely,


George W. Rhen, Jr., PE, MBA

Irvin Rathman
451 Church Road
Wernersville, PA 19565
March 18, 2012

Special Courts Administration
First Floor, Courthouse
633 Court Street
Reading, PA 19601

Dear Sirs,

In response to your request for comments on the proposed district court realignment, I favor the alternative proposed by the judges themselves.

District Judge Young's office is ideally located for Lower Heidelberg residents. I believe you'll find the greatest population density in the township along the Route 422 corridor nearby. Large groups are found on the outskirts of Wernersville (like myself, about 1/2 mile from the office), and in the developments around Green Valley Estates.

Thank you for your consideration.

Sincerely,



Irvin Rathman

RECEIVED MAR 20 2012