

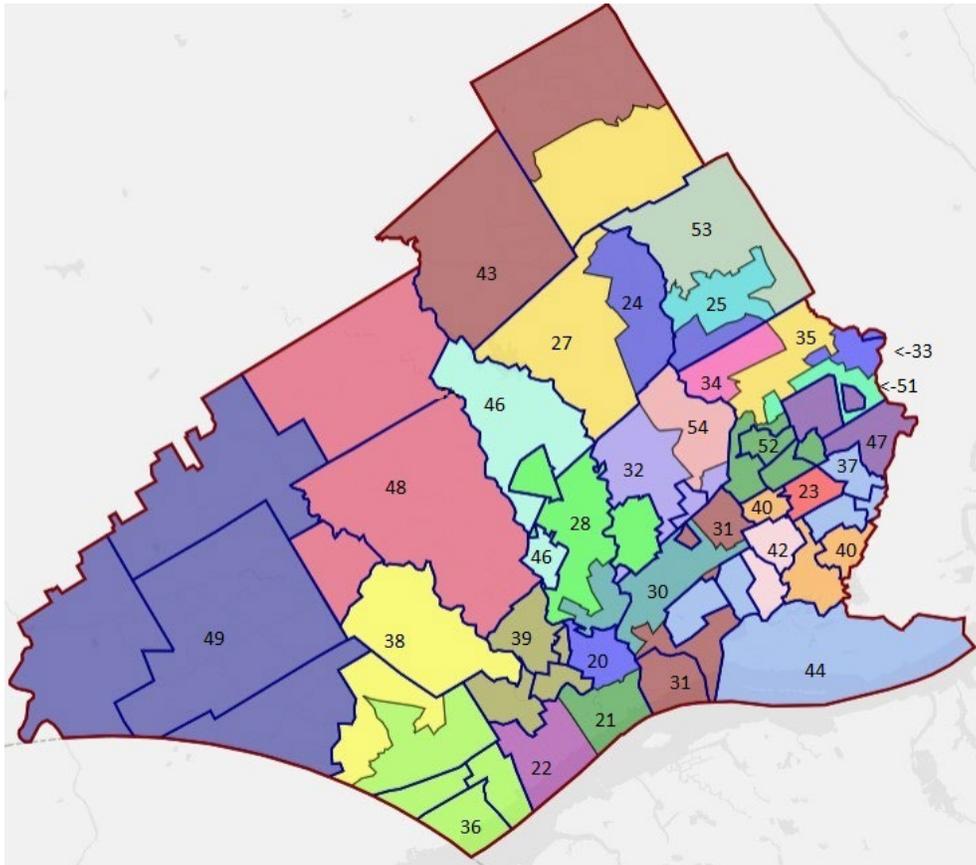
**Summary of Recommended Reestablishment Plan for the
Magisterial District Courts of the 32nd Judicial District
of the Commonwealth of Pennsylvania for 2022**

By The Honorable Kevin F. Kelly, President Judge

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

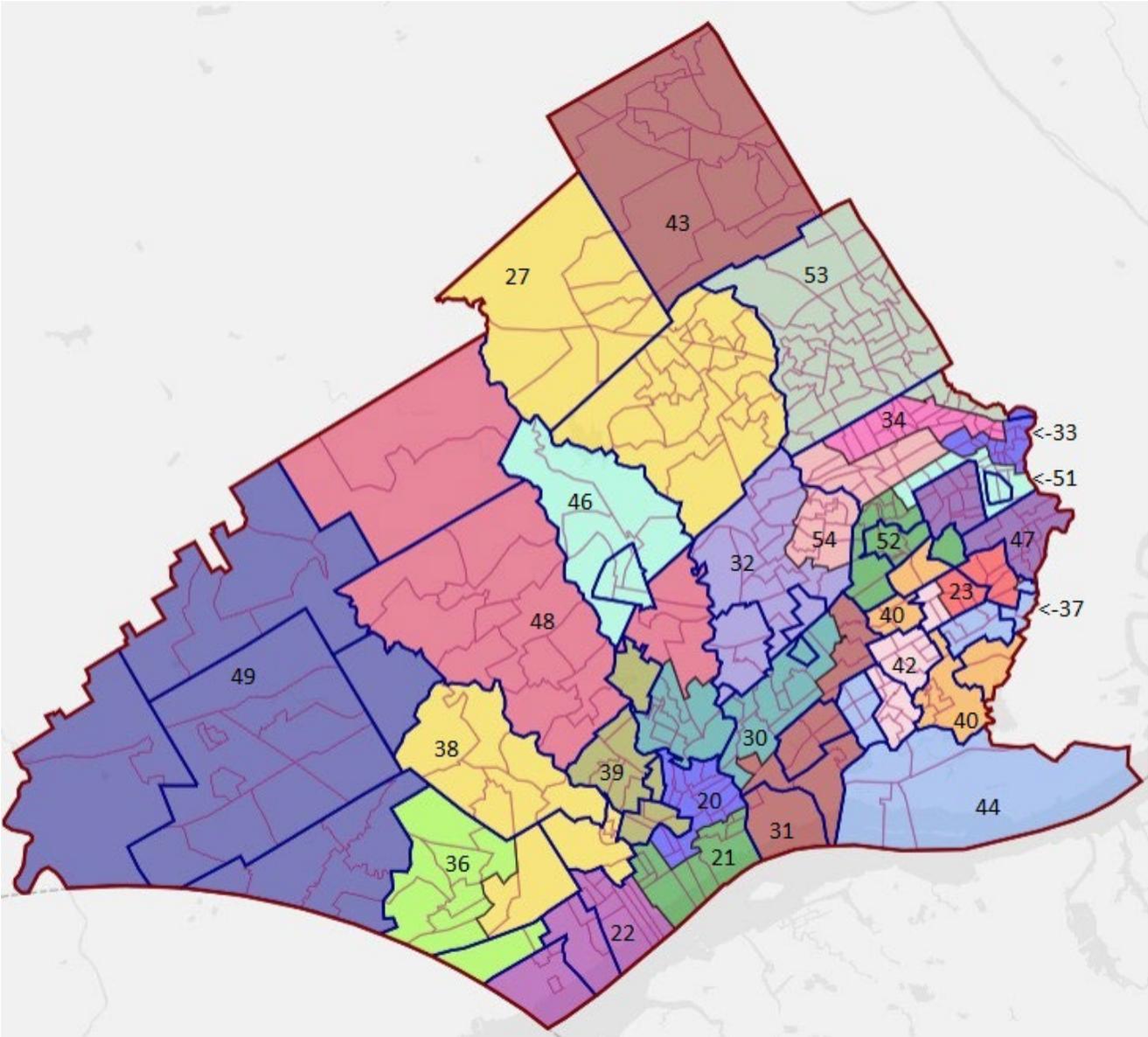
Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 West Front Street
Media, PA 19063

Current Map of 30 Magisterial District Courts



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

Recommended Map of 26 Realigned Magisterial District Courts



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

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

Recommendation Statistical Comparison

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

Background

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

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

Input and Data

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

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

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

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

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

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

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

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

Number of Courts and Workload Calculations

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

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

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

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

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

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

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

Elimination of Certain MDCs

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

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

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

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

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

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

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

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

Residence of Incumbent MDJs

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

Equitable Distribution of Workload

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

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

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

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

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

Projected Workloads under Recommended Reestablishment Plan

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

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

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

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

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

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

Workload Considerations Effecting the Realignment or Elimination of each District

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Contiguity

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

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

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

Court Facilities

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

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

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

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

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

Splitting Municipalities

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

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

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

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

Specialty Courts

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

School Districts

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

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

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