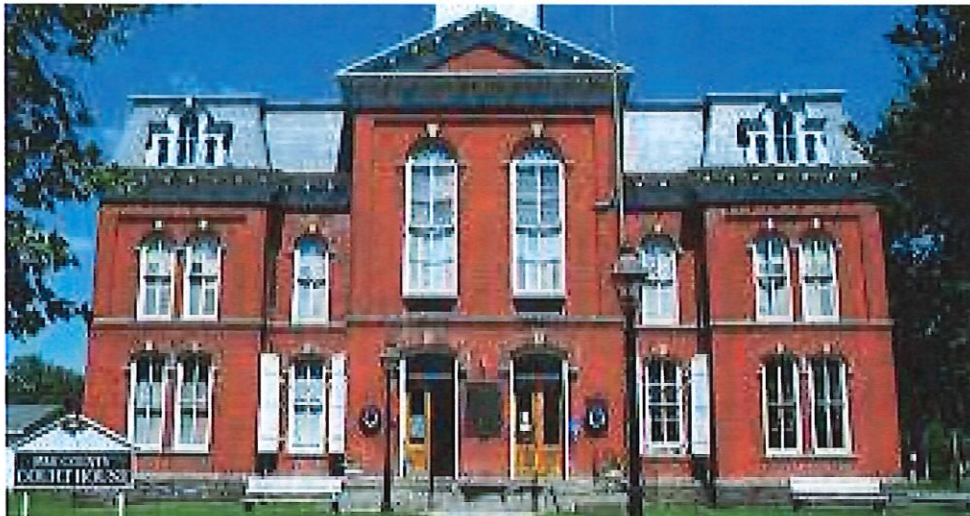


REESTABLISHMENT OF
MAGISTERIAL DISTRICT COURTS
OF PIKE COUNTY



**BY GREGORY H. CHELAK, PRESIDENT JUDGE
PIKE COUNTY COURT OF COMMON PLEAS**

Following a review of all documents and information provided by the Administrative Office of Pennsylvania Courts (AOPC) related to the caseload and workload of the Magisterial District Offices in Pike County and following the directions of the Pennsylvania Supreme Court regarding evaluation of Magisterial District Judge caseloads and workloads, it is the recommendation of this Court that Magisterial District Courts 60-3-01, 60-3-02, 60-3-03 and 60-3-04 be reestablished in their present structure.

Based on this recommendation, Pike County would maintain four (4) Magisterial District Courts. Those Courts would be comprised of the following:

1. Magisterial District Court 60-3-01 (Eastern Pike County): comprised of the Boroughs of Matamoras and Milford, Westfall Township and Milford Township;
2. Magisterial District Court 60-3-02 (Western Pike County): comprised of Blooming Grove Township, Greene Township and Palmyra Township;
3. Magisterial District Court 60-3-03 (Central/Northern Pike County): comprised of Dingman Township, Lackawaxen Township and Shohola Township; and
4. Magisterial District Court 60-3-04 (Southern Pike County): comprised of Delaware Township, Lehman Township and Porter Township.

The Magisterial District Offices would be located in the following existing Magisterial District Court facilities:

Magisterial District Court 60-3-01 would retain its current offices located at 102 East John Street, Milford, Milford Borough, Pike County, Pennsylvania.

Magisterial District Court 60-3-02 would retain its current offices located at 106 Shook Road, Suite 100, Hawley, Palmyra Township, Pike County, Pennsylvania.

Magisterial District Court 60-3-03 would retain its current offices located at 502 Little Walker Road, Shohola, Shohola Township, Pike County, Pennsylvania.

Magisterial District Court 60-3-04 would retain its current offices located at 213 Silver Lake Road, Dingmans Ferry, Delaware Township, Pike County, Pennsylvania.

The Magisterial District Judges, as presently constituted and duly elected, shall continue to serve as follows:

Magisterial District Judge Deborah Fischer in Magisterial District Court 60-3-01;

Magisterial District Judge Randy S. Schmalzle in Magisterial District Court 60-3-02;

Magisterial District Judge Alan B. Cooper in Magisterial District Court 60-3-03; and

Magisterial District Judge Paul D. Menditto in Magisterial District Court 60-3-04.

The above recommendation is made after consideration of the guidelines submitted by the Supreme Court to the Pike County Court of Common Pleas. In making our recommendation, the Court has taken into consideration the following factors:

1. Pike County has been one of the fastest growing counties in the Commonwealth of Pennsylvania for over two (2) decades;
2. The increase in population has led to an increase in caseload and workload of the Magisterial District Courts of the Pike County over that time period;
3. Each Magisterial District Court experiences fluctuations in caseload tied to various factors including commercial development, community association activity, local police departments and expanding commercial activities, all of which are difficult to accurately anticipate and predict;
4. An increase in future caseload and workload of all Magisterial District Courts is expected, however, as a result of the recent influx of new residents to Pike County;

5. The influx of new residents is a result of the Covid-19 pandemic and the relocation of many former New York and New Jersey residents to Pike County;
6. During 2021, Pike County recorded 5,501 house and land sale deed transactions which will result in a significant increase in population and which is not reflected in the 2020 U.S. Census Bureau population figures;
7. Pike County experienced a similar population increase from 2000 to 2010 as a result of, *inter alia*, the September 11, 2001 Terrorism Incident when the County's population increased from 46,443 to 60,317, an increase of approximately 23% over the span of that decade;
8. Located in the northeast corner of our Commonwealth, Pike County is a long-standing vacation area for many residents of the states of New Jersey and New York;
9. In addition, Pike County has experienced increases in its population over the past two (2) decades primarily as a result of residents of New Jersey and New York relocating;
10. It is reasonably expected that this trend will continue into the future based on future unanticipated events which will likely create the circumstances for further population growth;

11. Further, the Covid pandemic has increased the number of people who work remotely which also lends itself to population growth for Pike County; and

12. The expected population increase as a result of the Covid-19 pandemic is presently unknown, but is likely to result in greater demand for services in the county including court related services as did occur during the decade of 2000 through 2010.

In conclusion, the Pike County Court of Common Pleas respectfully recommends that the Magisterial District Courts of Pike County be REESTABLISHED in their current format which will include Magisterial District Courts 60-3-01, 60-3-02, 60-3-03 and 60-3-04 as set forth above. Our recommendation for Reestablishment meets the following requirements:

1. All municipalities within the MDJ districts must be contiguous;
2. Each physical MDJ Office must be located in the MDJ District;
3. The Magisterial District Judge must sit in the district in which he or she resides;
4. While municipalities may be split along lines of Voting Districts, smaller divisions of the municipality are not allowed; and

5. No County MDJ Districts should have a total workload which is 15% higher or lower than the workload of any other district in the judicial district unless a departure is recommended upon a finding of a lack of an unwarranted inequity among the Magisterial District Judges in the judicial district.

The Court believes that Pike County needs four (4) Magisterial District Courts to handle existing filings and also for at least the next ten (10) years. Although there are variations in caseload and workload among the current Magisterial District Court, we find the existing boundaries of those districts to most equitably balance workload of those offices considering other relevant factors including driving distances, Central Court duties and night/weekend duties.

As set forth on the Magisterial District Summary Worksheet for 60-3-01, that district falls on the lower end of caseload average in comparison to our class of county caseload average. It is necessary, however, to maintain 60-3-01 since that district is the host of the Pike County Criminal Central Court, is located in the county seat and is located in the district with the Delaware Valley School District and the greatest amount of commercial activities in Pike County.

While the average total caseload and workload of Magisterial District Court

60-3-03 is greater than 15% below the average caseload workload of the district and/or class of county averages, we submit that this district will likely experience increased demand for court services as a result of the anticipated population increases therein with Dingman Township being the most populous municipality in Pike County and Shohola Township and Lackawaxen Township being prime areas for future residential development due to their low current density and availability of raw land for future development.

In addition, it would be impracticable to realign 60-3-03 in the other existing districts due to, *inter alia*, the large physical size of Pike County. While the municipalities in 60-3-03 can be realigned into one or more of the remaining MDJ districts, any such realignment would certainly result in a reduction in the quality of service. Given the extremely large geographical land mass of Pike County, any re-alignment of MDJ 60-3-03 would create an even greater driving distance for the residents of the affected municipalities (Dingman, Lackawaxen and Shohola Townships) and all other court users than presently exists.

We also note that the caseload of Magisterial District Court 60-3-04 falls at the lower end of the county and class of county averages, but this district consists of large rural areas of land and is located in the southern end of Pike County. On the other hand, the workload of this district is higher than the average workload

of our district. In a similar manner to other districts, we believe that any realignment of 60-3-04 would result in a reduction in the quality of service provided and greater driving distances for all court users.

In addition, a reduction of Pike County's four (4) MDJs to three (3) MDJs or less would result in an increase of on call service on weeknights and weekends for the remaining MDJs including addressing matters that the Court of Common Pleas would ordinarily handle during normal business hours. Further, we have recently commenced operation of the Pike County Criminal Central Court which is designed for operation of four (4) MDJs rotating service in Central Court. Any reduction in the number of our MDJs would result in a further strain on the time of the remaining MDJs to meet the demands of their respective judicial districts.

The above recommendation is being submitted for public comment effective as of the date of its posting. Public comments will be accepted through February 26, 2022. All comments received will be included in the final report to be submitted to the Pennsylvania Supreme Court. All public comments should be in written form and contain the name and address of the party making such comment. Comments should be forwarded to Samantha G. Venditti, Esquire, District Court Administrator, 412 Broad Street, Suite 4, Milford, Pennsylvania 18337 or svenditti@pikepa.org.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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

Magisterial District Court Number:	60-3-01	County:	Pike
1. Proposed plan for this magisterial district: Reestablish		2. Effective date:	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 2,537	B. 2,289	C. 3,230
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		248	2nd out of 4
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-693	-21 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the petition that explains why you are departing from caseload equity.			
<p>MDJ 60-3-01 is the host court for our Pike County Criminal Central Court;</p> <p>MDJ 60-3-01 is located in the county seat of Pike County and in the jurisdiction with the greatest amount of commercial operations;</p> <p>MDJ 60-3-01 is located in the district in which the Delaware Valley School District, a Class 6A school, is located;</p> <p>This office is needed to continue existing services including Central Court and night/weekend duties.</p>			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 16,790	B. 17,903	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.	<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
	-1,113	-6 %	
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the petition</i>) why this does not result in an unwarranted inequity among the judges.			
<p>In addition, a reduction of Pike County's four (4) MDJs to three (3) MDJs or less would result in an increase of on call service on weeknights and weekends for the remaining MDJs. Further, we have recently commenced operation of the Pike County Criminal Central Court which is designed for operation of four (4) MDJs rotating service in Central Court. Any reduction in the number of our MDJs would result in a further strain on the time of the remaining MDJs to meet the demands of their respective judicial districts.</p>			

Magisterial District Information	
10. Magisterial District Judge (MDJ) Information:	
Deborah Fischer	12/31/23
<i>Magisterial District Judge Name</i>	<i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i>
11. Magisterial District Court Information - Physical Location:	
102 East John Street, Milford PA	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure
16. List any police departments located within this magisterial district.	
Milford Police Department, Eastern Pike Regional Police Department, Delaware Valley School Police	
17. List any major highways within this magisterial district.	
Route 6/209, Route 84	
18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.	
Matamoras Borough Milford Borough Milford Township Westfall Township	
19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	Yes
20. Additional Comments:	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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

Magisterial District Court Number: 60-3-02		County: Pike
1. Proposed plan for this magisterial district: Reestablish		2. Effective date:
Caseload Analysis		
3. Average total caseloads:	<i>Avg for Magisterial District</i> A. 3,339	<i>Avg for Judicial District</i> B. 2,289
		<i>Avg for Class of County</i> C. 3,230
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.	<i>Difference (3A - 3B)</i> 1050	<i>Ranking Total</i> 1st out of 4
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.	<i>Difference (3A - 3C)</i> 109	<i>% Above/Below</i> 3 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the petition that explains why you are departing from caseload equity.		
Workload Analysis		
7. Average total workloads:	<i>Avg for Magisterial District</i> A. 19,282	<i>Avg for Judicial District</i> B. 17,903
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.	<i>Difference (7A - 7B)</i> 1,379	<i>% Above/Below</i> 8 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the petition</i>) why this does not result in an unwarranted inequity among the judges.		

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Randy Schmalzle

1/4/26

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

106 Shook Rd, Suite 100, Hawley, PA

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

Yes

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

Yes

14. Are all portions of the magisterial district contiguous?

Yes

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

No/Not Sure

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

Blooming Grove PA State Police

17. List any major highways within this magisterial district.

Route 6, Route 84

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

Blooming Grove Township

Greene Township

Palmyra Township

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

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

Yes

20. Additional Comments:

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number: 60-3-03		County: Pike	
1. Proposed plan for this magisterial district: Reestablish		2. Effective date:	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 1,628	B. 2,289	C. 3,230
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-661	4th out of 4
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1602	-50 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the petition that explains why you are departing from caseload equity. MDJ 60-3-03 is the most populous districts of Pike County; MDJ 60-3-03 has a vast geographical service area which would make it difficult to realign and continue to provide efficient judicial services to the residents of the affected municipalities; MDJ 60-3-03 has low overall density which lends itself to future residential development which could be impacted by population surges which Pike County has experienced over the past 22 years; MDJ 60-3-03 is centrally located to serve the needs of the residents.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 13,647	B. 17,903	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.	<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
	-4,256	-24 %	
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the petition</i>) why this does not result in an unwarranted inequity among the judges. In addition, a reduction of Pike County's four (4) MDJs to three (3) MDJs or less would result in an increase of on call service on weeknights and weekends for the remaining MDJs. Further, we have recently commenced operation of the Pike County Criminal Central Court which is designed for operation of four (4) MDJs rotating service in Central Court. Any reduction in the number of our MDJs would result in a further strain on the time of the remaining MDJs to meet the demands of their respective judicial districts.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Alan Cooper

12/31/23

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

502 Little Walker Rd, Shohola, PA

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

Yes

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

Yes

14. Are all portions of the magisterial district contiguous?

Yes

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

No/Not Sure

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

Blooming Grove PA State Police

17. List any major highways within this magisterial district.

Route 6

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

Dingman Township
Lackawaxen Township
Shohola Township

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

Yes

20. Additional Comments:

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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

Magisterial District Court Number: 60-3-04		County: Pike	
1. Proposed plan for this magisterial district: Reestablish		2. Effective date:	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 1,655	B. 2,289	C. 3,230
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-634	3rd out of 4
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1575	-49 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the petition that explains why you are departing from caseload equity.			
MDJ 60-3-04 accounts for the greatest amount of the 60th Judicial District's criminal cases; MDJ 60-3-04 accounts for a significant amount of protection from abuse proceedings many of which commence with an emergency filing with the MDJ; MDJ 60-3-04 has been operating an informal truancy court for the past 10 years; MDJ 60-3-04 is a very rural district located on the southern end of Pike County; Realignment of any portion of MDJ 60-3-04 would result in less efficient judicial services for the residents.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 18,492	B. 17,903	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.	<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
	589	3 %	
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the petition</i>) why this does not result in an unwarranted inequity among the judges.			
In addition, a reduction of Pike County's four (4) MDJs to three (3) MDJs or less would result in an increase of on call service on weeknights and weekends for the remaining MDJs. Further, we have recently commenced operation of the Pike County Criminal Central Court which is designed for operation of four (4) MDJs rotating service in Central Court. Any reduction in the number of our MDJs would result in a further strain on the time of the remaining MDJs to meet the demands of their respective judicial districts.			

Magisterial District Information	
10. Magisterial District Judge (MDJ) Information:	
Paul Menditto	1/4/26
<i>Magisterial District Judge Name</i>	<i>Birthdate</i>
	<i>Term Expiration Date</i>
	<i>Mandatory Retirement Date</i>
11. Magisterial District Court Information - Physical Location:	
213 Silver Lake Road, Dingmans Ferry, PA	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES, please summarize your response below.	No/Not Sure
16. List any police departments located within this magisterial district.	
Blooming Grove PA State Police	
17. List any major highways within this magisterial district.	
Route 6	
18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.	
Delaware Township Lehman Township Porter Township	
19. Are the proposed municipalities the same as above? If NO, please list all proposed municipalities (alphabetically).	Yes
20. Additional Comments:	