

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: ELIMINATION AND	:	No.
MODIFICATION OF MAGISTERIAL	:	
DISTRICTS WITHIN THE 23rd JUDICIAL	:	MAGISTERIAL RULES
DISTRICT OF THE COMMONWEALTH	:	DOCKET
OF PENNSYLVANIA	:	

**SPECIAL COURT JUDGES ASSOCIATION OF PENNSYLVANIA (SCJAP)
RESPONSE TO THE PETITION FOR THE REESTABLISHMENT OF
MAGISTERIAL DISTRICTS WITHIN THE 23rd JUDICIAL DISTRICT (BERKS
COUNTY)**

June 3, 2026

A. Background

The Pennsylvania Constitution in Article V, section 7 provides that there shall be one magisterial district judge in each magisterial district. Subsection (b) requires that classes of magisterial districts be established based on population and population density. The number of magisterial district courts and the boundaries of those districts are determined by the Supreme Court. The overriding consideration in this determination is the “efficient administration of justice within each magisterial district.” Section 1503 of the Judicial Code requires that there be a review of the number and boundaries of magisterial district courts and reestablishment following each federal decennial census. A review may take place from time to time when required by the efficient administration of justice within each magisterial district.

In October 2001, a report was issued by the Supreme Court Intergovernmental Task Force to Study the District Justice System. The Magisterial District

Reestablishment Subcommittee issued a report that recommended that there be a thorough review of population statistics and trends; a systematic analysis of current caseload statistics and trends; the establishment of caseload equity; and to minimize unnecessary travel or impediments to public access.

After the 2020 federal census, the Administrative Office of Pennsylvania Courts (AOPC) provided guidelines for the Magisterial District Reestablishment in June 2021. The guidelines directed that available was six years of case filing statistics from 2014 to 2019. The average case filings were provided by AOPC and were to be used for comparison purposes within each county and each class of county statewide. Instead of comparing courts on a statewide basis, courts were compared based on the class of the county in relation to all other counties in that class. It was understood that caseload equity did not mean parity between all magisterial districts. The emphasis was that all of the magisterial districts in the judicial district would be within an acceptable range. The memorandum to all president judges and instructions for the reestablishment process are attached as Exhibit R-1. The president judge of Berks County submitted a plan to AOPC for review to reestablish all of its seventeen magisterial districts.

On May 24, 2022, the Supreme Court entered an Order based on consideration of the Petition filed by the 23rd Judicial District. This Order reestablished all of the seventeen (17) Magisterial District Courts in the Judicial District. At that time, the Court determined that this was the correct and appropriate number of courts to fulfill the mission of the minor judiciary in Berks County. It also served the purpose of achieving caseload equity, workload equity and maintained the proper access to the courts as well as the efficient administration of justice in the magisterial district courts in the 23rd Judicial District. Supreme Court Order No. 481 is attached as Exhibit R-2.¹

On May 7, 2026, Berks County published for public comment a "Notice of Proposed Changes to Magisterial Districts within the Twenty-third Judicial District (Berks County) of Pennsylvania and Period for Public Comment". This proposal calls for the elimination of Magisterial District 23-2-02 and the realignment of Magisterial Districts 23-2-01 and 23-2-04. Berks County's Public Notice is attached as Exhibit R-3.

¹There are currently no Rules of Judicial Administration that address the elimination/realignment/reestablishment of magisterial districts between the decennial census years. Seeing the need for such a Rule, the Special Court Judges Association of PA (SCJAP), AOPC and the President Judges Committee of PA Conference of State Trial Judges, working together, have proposed a new Rule of Judicial Administration, Rule 605.1. The Court has chosen not to adopt this proposed Rule, but the requirements, standards and factors in that proposal should be considered when determining whether a request or petition to eliminate magisterial district courts or realign those courts should be granted. The proposed Rule incorporated many of the guidelines provided by AOPC.

B. RESPONSE TO THE PETITION

The SCJAP acknowledges that in the office of President Judge, the Petitioner may petition the Supreme Court concerning the elimination, reestablishment or realignment Pa.R.J.A.605. The Note to this Rule states that the design of the Rule is to further the “efficient and effective administration of justice in the unified judicial system.”

Berks County makes up the 23rd Judicial District of Pennsylvania and is a County of the Third Class. There are eleven (11) Counties of the Third Class in Pennsylvania – Berks, Chester, Cumberland, Dauphin, Erie, Lackawanna, Lehigh, Luzerne, Northampton, Westmoreland and York Counties.

The SCJAP disagrees that the Berks County Petition demonstrates that this proposal improves efficiency and better utilizes the resources of the judiciary, County and Commonwealth with the request to eliminate a magisterial district court and the realignment of two other districts.

The SCJAP points out that the Petition only addresses one factor in making a determination on whether to modify magisterial districts. The Petition relies solely on statistics for new case filings. It does not discuss the Adjusted Weighted Caseload Study statistics as developed by AOPC. It does not discuss caseload equity or workload equity for all the courts in the 23rd Judicial District. It does not do any comparison in any of these categories to the other Class 3 counties. This data is insufficient when compared to the AOPC policy requirements for the decennial census and those in the proposed rule so the petition should be denied.

The Petition’s only stated purpose is to eliminate a district and realign two others is a desire to “lead to a more balanced caseload among the magisterial districts in Berks County”. This was just analyzed in the reestablishment process of 2021-2022 and was determined to be unnecessary. The magisterial districts with lower caseloads that are proposed to be realigned are within the area of the City of Reading. Such urban areas frequently have poorer populations that suffer from transportation issues. If Berks County desires to address balancing caseloads across the county, it should have done so during the 2021-2022 Reestablishment process. It should not be done haphazardly due to a currently vacant magisterial district judge seat.

The petition seeks to eliminate Magisterial District 23-2-02, which is one of the highest districts in terms of caseload in Berks County. It therefore proposes to transfer one of the county’s highest volume of cases and distribute them to locations further away. This will inconvenience stakeholders and limit access to

justice for a large population of court users. For 2024, Magisterial District Court 23-2-02 was the third highest in docket filings in Berks County. For 2025, Magisterial District Court 23-2-02 was the second highest court for new dockets filed at 5,319. Refer to Exhibit R-4

The SCJAP asserts that any possible cost savings do not justify the closing of a court where the closure will deny many citizens access to the courts and justice. In addition, the cost savings are not real as the cases still need to be processed and more staff would likely be required at the realigned courts. The office expenses like postage and supplies for the new cases would merely be shifted to the other courts. Also, staff overtime from covering night/weekend on-call duties would only be transferred to other courts with no cost savings.

The Petition was presented prior to the release of the 2030 census data and requests that this Court eliminate one district court and realigns two other courts. The Court will undertake a thorough and complete analytical study of all of the districts in Berks County in the near future and at that time there will public notice required and all parties will have an opportunity to participate in this process.

The Petitioner relies solely on case filings. These numbers do not include the average of all courts in Berks County and there is no comparison to the other Class Three Counties. A look at these numbers will show that the cases/judge in Berks County are within range for similar counties. The Class Three Counties Magisterial District Court Caseload New Docket Filings are attached as Exhibit R-5.²

Berks County is ranked 8th of 11 for 3rd Class Counties in cases per judge for the period of 2020-2024. Therefore, Berks County falls within range of similar counties and should not lose a district. Refer to Exhibit R-6.

The Petition is silent as to any discussion of workload equity within the county or in comparison with other Class 3 Counties.

The Common Pleas Judicial Needs Assessment Project in 2018 used the same types of data as used in magisterial district court reestablishment or realignment. Although that study stated that the common pleas complement was correct for counties in Pennsylvania, the legislature continues to increase the complement of common pleas judges (per 42 Pa.C.S.A. § 911) while counties continue to propose eliminating the complement of magisterial district judges. From 2018 to 2028, the complement of common pleas judges increases from 457 to 473 while the complement of MDJs for the same period declines from 512 to 500.

² AOPC statistical data for magisterial district courts is only available through 2024 at this time.

The Magisterial District Judge Association of Berks County submitted a letter to the SCJAP that they were almost unanimously (14 out of the 16 current MDJs) opposed to this petition. Letter of opposition is attached as Exhibit R-7.

C. CONCLUSION

The conclusion of the Petition that Magisterial District Court 23-2-02 should be eliminated is not supported by the information presented in the Petition of the Twenty-Third Judicial District. The submitted petition does not even demonstrate a need for redistribution of work, much less elimination of a court.

The caseload and workload averages are not presented for all the magisterial district courts in Berks County and there is no comparison to the data from other Class 3 counties. Upon examination of the data of all the Class 3 Counties that is attached hereto, there is no justification for an elimination of a magisterial district in Berks County.

The Petition does not include a comparison of data from all Class Three counties. The 2021 AOPC Guidelines for Magisterial District Judges used all of the 3 class counties in the comparison and analysis. The Common Pleas Judicial Needs Assessment used a similar methodology for comparison purposes and analysis using all of the counties of the 3rd class. Therefore, this petition is insufficient.

There is no discussion of the population in the affected Magisterial Districts Courts and the possibility of trends suggesting that there would be increased case filings. Population data and Reestablishment plans are due in 2030 so this plan should not be haphazardly approved before a thorough county-wide review is completed in accordance with 42 Pa. C.S. § 1503.

The caseload and workload figures for the Magisterial District Courts in the Judicial District are not discussed. Eliminations of courts do not occur in a vacuum. The elimination of one court means there is one less judge to cover the night and weekend duty, one less judge for emergency matters such as search warrants, arrest warrants, Protection from Abuse Orders, distribution of recusal cases, etc. The excess workload in the realigned courts will affect those judges with more duties and responsibilities.

The Petition does not fully address transportation and access issues for those in the district that would be eliminated. There is no meaningful assessment of public convenience and access to the courts. The Petition assumes that all of the constituents drive and are only concerned with mileage from one court location to

the other and how long it takes. There is no discussion of public transportation from the eliminated district to the realigned districts.

Access to justice is only meaningful if people can get to their district court. This applies to parties, police, victims, witnesses, counselors, social workers. This is particularly important in criminal and summary cases where there may be multiple hearings scheduled regarding preliminary hearings and summary trials, as well as payment determination hearings and follow up proceedings that require a defendant's attendance. It can also be an issue for tenants in an eviction case where most of the tenants are low income and may have no way to get to the hearing and as a result suffer the consequences of an eviction.

The Supreme Court determined in 2022 that Berks County had the proper number of Magisterial Districts. The data from the 2030 decennial census will be available soon and the Supreme Court will again review the caseload and workload numbers for all of the district courts in Berks County and determine if there should be realignment at that time. There would be an opportunity at that time for a more in-depth analysis when six years of cases could be used to provide a clearer picture. There is no mention of trends that may affect caseloads and workloads.

It is important for the Magisterial District Court to be involved with the community and that there be ready access to each court for hearings and receiving services from local providers.

There is no discussion in the Petition about school districts which file citations against students for habitual truancy. The court has to be accessible to the representatives of the school district and the parents and alleged truant students. There may be several hearings to get the student and parent into a truancy elimination program and for the judge to monitor the student's attendance at school.

The scheduling of police officers for hearings is often done in a cooperative manner to reduce overtime costs and, more importantly, to keep the on-duty officers in the magisterial district and therefore reducing response time. By stacking cases up at fewer court facilities, officers and all parties, have to wait longer for their matters to be heard, often causing police overtime and resulting in fewer patrol officers in their communities.

The docket numbers have **increased** every year in Berks County from 2020 through 2024 by a total of 33% as shown in Exhibit R-5. Since the number of case filings are increasing every year, a court should not be eliminated between the decennial reestablishment processes.

A court elimination plan should not be done as a knee-jerk reaction every time a magisterial district judge retires and there is a vacancy. According to statute, plans are only supposed to be reestablished every ten years after careful study and consideration based on complete analysis of all data. This issue keeps rearing its ugly head in county after county (Lancaster, Westmoreland, Chester, Bucks, etc.).

The SCJAP believes that the magisterial district courts are very fundamental and essential to the Unified Judicial System and that the elimination of any magisterial district court will significantly reduce the public's access to justice. This is in a time when the need for access to the courts is crucial and the consequences are dire if there is no access to the court system. The elimination of one court has an impact on the constituents of Berks County and the three district courts in question, but it also has an effect on the other magisterial district courts in the county and their constituents.

Based on this information and the other information provided in this Response, the SCJAP would respectfully request that the Petition be denied and that this issue be reviewed in greater detail in the upcoming review of magisterial district courts in the Twenty-Third Judicial District by the Supreme Court. In that review, census data from 2030 will be available and the review will be conducted in accordance with the standards and policy required by the AOPC.

Respectfully submitted,



A stylized handwritten signature in black ink.

Ronald Haggerty
President Special Court Judges Association of Pennsylvania



A stylized handwritten signature in black ink.

Daniel Baranoski
SCJAP Chair of Reestablishment and Strategic Planning

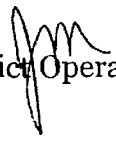
Exhibit

R-1



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

TO: All President Judges

FROM: Joe Mittleman 
Director of Judicial District Operations

THROUGH: Geoff Moulton 
Court Administrator of Pennsylvania

DATE: June 2, 2021

RE: Decennial Magisterial District Reestablishment

The decennial reestablishment of magisterial districts is once again upon us. Of the fifty-nine president judges who will carry out this responsibility, only fourteen have been through it before, so this memo begins with background information including a review of the two most recent rounds of reestablishment. The second part of the memo describes the standards that the Supreme Court has approved for your use in assessing the magisterial districts in your judicial district.

I. Background

Decennial reestablishment of magisterial districts is mandated by 42 Pa.C.S.A. §1503, which requires that the Court reestablish the numbers and boundaries of the magisterial districts the year after the census figures are certified by the Census Bureau. While federal law requires that local census data be reported to the states no later than April 1, 2021, we have been informed that the Census Bureau will not be able to certify the local census figures until September 2021. Even with this delay, we will be able to distribute reestablishment instructions and all other relevant data to the president judges by the end of June of this year, allowing for the process to begin this summer.

A. 2001 Reestablishment

The decennial magisterial district reestablishment process for 2001 began on May 30, 2001, with the creation of the Magisterial District Reestablishment Subcommittee of the Intergovernmental Task Force to Study the District Justice System. The Subcommittee, asked to consider methods by which caseload equity could be achieved in the reestablishment process and to what extent special factors should be taken into account, developed seven recommendations, one of which was the creation of

Magisterial District Reestablishment Guidelines (“Guidelines”). These Guidelines, issued in 2002, formed the foundation upon which the 2001 process was administered, and also formed the basis for the 2011 process.

The goal in 2001 was to establish caseload equity among the magisterial districts within a county and also between counties of the same class. A magisterial district with an average annual caseload more than fifteen percent above or below the average for the judicial district indicated a disparity in workload within the judicial district, requiring the PJ either to make an adjustment or provide an explanation. The process began with the distribution of data and instructions to the president judges in February 2002 and concluded when the final orders were approved in March 2003.

B. 2011 Reestablishment

Ten years later, a more comprehensive process took place. The guiding principle underlying the process was the desire of then-Chief Justice Castille to reduce the number of MDJs statewide by ten percent. In 2010, even before reestablishment began, president judges were asked to examine any vacant districts and assess whether those districts could be eliminated. As a result, ten districts were eliminated before reestablishment occurred.

In October 2011, data and instructions were sent to the president judges. The guidelines directed drafters to compare the average annual caseload of the magisterial districts in their judicial district to the average for their class of county. If the average caseload was not more than ten percent above the average for their class of county, the president judge was directed to provide an explanation if no districts were recommended for elimination.

PJs were required to consider not only caseload, which is a numerical count of case filings, but also workload, which recognizes that not all case types are equally burdensome and assigns a weight based on the average amount of judge time required to process each case type. These weights were determined in 2011 by an empirical study conducted among a committee of twenty-four MDJs from various-sized counties. This weighted metric was used by the president judges to draw magisterial district lines to, as much as possible, create an equitable distribution of work among the MDJs in their judicial district.

By the end of the 2011 reestablishment process, an additional twenty-three magisterial districts had been eliminated. The eliminations occurred over a number of years since the guidelines expressed a preference to eliminate districts through attrition,

and in some cases, the retirement of an MDJ in a district identified for elimination did not occur until 2018.

II. Process for 2021 Reestablishment

The Supreme Court has approved a process much like the one used in 2011, with the major change that there is no goal to eliminate a particular number or percentage of districts and no presumption that districts should be eliminated. Instead, the guiding principle for reestablishment is for each president judge to determine if they have the proper number of MDJs needed to handle the caseload in their judicial district.

You should be prepared for two sources of external pressure. First, the fiscal shortfalls faced by local governments will likely result in pressure from county commissioners to eliminate magisterial districts wherever possible. The response to that is that a reestablishment plan is a ten-year plan meant to accommodate the needs of the citizens of the county for the next decade. It should not be driven by unprecedented circumstances that will dissipate. You are establishing magisterial districts for the long term and for normally expected caseloads.

Second, the PennLive/Spotlight PA articles on MDJ workload that were published around the state will likewise create pressure on some PJs to eliminate districts. Because the reestablishment process has a public component, such pressure may come from multiple sources, including the media, county commissioners, state elected officials, and taxpayers. While the articles overly simplified the work of MDJs, and the data may not have provided a true picture of how hard MDJs work, it did point out significant disparities among the counties in MDJ workload. Although the media should not drive this process, the data they relied on is interesting as a point of comparison, and comparison among like-sized counties has been one of the guidelines that has continued to be used in reestablishment.

Attached are the Magisterial District Reestablishment Guidelines that the Court has approved and that you will be receiving, along with more detailed instructions and worksheets for your use. This summer, we will provide you with caseload and workload (weighted caseload) data for each magisterial district in your judicial district based on six years of case data, covering 2014 through 2019. (We will not consider 2020 data given the skewing impact of the pandemic.) We will also provide you with comparative data for each class of county so that you can compare the caseloads and workloads for your districts with those in similar size counties. We will also give you the census data for the municipalities in your judicial district. Even though the Census Bureau will not release the official numbers until September, they have provided estimates, which in the past have proven fairly consistent with the official numbers. Since population is not a

driving factor in reestablishment, the estimates, which will show trends of population increase or decrease in your district, will be adequate for use now.

The data we provide, along with other information such as MDJ ages and term expirations, will allow you to begin the process of outreach to MDJs and community stakeholders, the first step in the creation of the plans. We are also planning webinars later this summer for any president judge or court administrator who would like guidance on the process or the use of the data we have provided.

The deadline for submission of plans to AOPC is February 28, 2022. We will review each plan and if they comply with the instructions, they will be forwarded to the Court for review. Consistent with past practice, AOPC expects that plans will arrive on a rolling basis, and that AOPC will forward those plans to the Court as we receive them. This will enable the entire process to conclude well in advance of the 2023 electoral calendar and your 2023 county fiscal calendar.

Magisterial District Realignment

WHAT YOUR PACKET OF INFORMATION WILL CONTAIN

1. Case filings statistics by case type for a six-year period (2014-2019) for each magisterial district within your judicial district. The statistics are broken down by municipality for criminal, traffic, non-traffic and private complaints, but we are not able to provide a breakdown by ward within a municipality. Civil, landlord-tenant and miscellaneous docket statistics are only available by magisterial district. Because of the judicial emergency, the 2020 statistics were excluded as not representative of the typical filings in each district.
2. Average filings per magisterial district are provided by case type for each county and class of county statewide.
3. Workload statistics, which are calculated by using the relative case type weights based upon the amount of judge time required to process each case type. Actual case filings are then adjusted by the weights derived from the study. This measure reflects the relative amount of work required by the judge to handle the mix of case types in that district.
4. United States Census Bureau population statistics and population density calculations for each county for 2010 and 2020.
5. Magisterial district judge term expiration and birthdate for each MDJ within your judicial district.
6. A sample of the worksheets that need to be completed for submission to AOPC.

GUIDELINES

1. There are two questions you must answer in determining how to realign the magisterial district courts in your judicial district. *First*, how many magisterial districts do you need to handle the case filings, not just now, but for the next ten years? *Second*, where should the boundaries of those districts be drawn so that the workload is equitably distributed among the MDJs in the county? There are no presumptions that there are too many or too few districts. That is for each president judge to recommend.
2. Compare the average caseloads of the offices within your judicial district and also compare your judicial district's average caseload with the average caseload for your class of county and judicial districts within your class of county. When a magisterial district falls at the lower end of this range, the president judge must evaluate this factor in formulating their realignment proposal and explain any departures from caseload equity, such as a projected significant increase in filings or other factors not reflected in the caseload statistics.

3. Assess the workload calculation for the magisterial districts in your county. The workload calculation differentiates between treating all case types the same and acknowledging that a different level of effort is required for different types of cases. 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. If a departure of that degree exists, an explanation must be provided that describes why this does not result in an unwarranted inequity among the judges in the judicial district. Such explanation could include factors such as projected caseload growth, reduction in the affected districts, or the use of a central court or other mechanism that would redirect caseload and ameliorate the inequity.
4. In addition to assessing caseload and workload, the following factors should also be considered:
 - a. Every magisterial district court must be located within the magisterial district boundaries, absent approval from the Supreme Court.
 - b. All portions of the magisterial district must be contiguous.
 - c. No district can be eliminated during the term of an incumbent MDJ.
 - d. District boundaries cannot be redrawn in such a way that would move an incumbent magisterial district judge's residence into another magisterial district.
 - e. Voting districts cannot be split.
 - f. Any planned development in the county such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings of the affected district should be discussed.
 - g. Note any special programs in your county that will entail effort by MDJs, such as truancy programs or drug, veteran, or mental health diversion programs.
 - h. Public convenience and safety are factors that should be considered and weighed along with all others.

INSTRUCTIONS

1. The process should begin by conferring with the MDJs in your county. While you obviously have the final say in making a recommendation to the Supreme Court, the input of the MDJs can provide valuable information, such as retirement plans of judges and trends and issues they have seen in their districts.
2. Proposed reestablishment plans must be posted for public comment before submission to AOPC. Interested parties should have at least thirty days from the publishing date to submit comments. Posting can be done by electronic posting of the proposal on the court or county website and/or by placing a physical copy at various public locations such as public libraries and court offices. Media outlets in your county should be alerted to the posting of the proposal. A copy of the

posting and any public comments received should be submitted along with your final proposal.

3. Complete a worksheet detailing the specific proposal for your judicial district and each magisterial district.
4. Certify that the office and residence of the MDJ are within the district boundaries, unless location outside of the district has been previously approved by the Supreme Court.
5. All plans must be submitted to the AOPC by February 28, 2022.
6. The plan should be sent to:
Judicial District Operations Department
Pennsylvania Judicial Center
601 Commonwealth Avenue
P.O. Box 61260
Suite 1500
Harrisburg, PA 17106

An electronic version should be emailed to:
judicialdistrictoperationsdept@pacourts.us

7. Plans will be reviewed for accuracy and completeness and forwarded to the Supreme Court for consideration.
8. If you have any questions about process or policy, please contact Joe Mittleman at 215-560-5492 or at joseph.mittleman@pacourts.us . If you have technical questions or need assistance with statistics, please contact Mike Passiment at 717-231-3300 x3818 or at michael.passiment@pacourts.us .

Exhibit

R-2

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: REESTABLISHMENT OF THE	:	NO. 481
MAGISTERIAL DISTRICTS WITHIN	:	
THE 23 rd JUDICIAL DISTRICT OF	:	MAGISTERIAL RULES DOCKET
THE COMMONWEALTH OF	:	
PENNSYLVANIA	:	

ORDER

PER CURIAM

AND NOW, this 24th day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 23rd Judicial District (Berks County) of the Commonwealth of Pennsylvania, it is hereby ORDERED AND DECREED that the Petition, which provides for the reestablishment of Magisterial Districts 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, within Berks County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 23-1-01
Magisterial District Judge Ann L. Young

Adamstown Borough
Robesonia Borough
Sinking Spring Borough
Wernersville Borough
Heidelberg Township
Lower Heidelberg Township
South Heidelberg Township
Spring Township

Magisterial District 23-1-02
Magisterial District Judge Carissa L. Johnson

City of Reading, Wards 2, 3, 10, 16

Magisterial District 23-1-03 Magisterial District Judge Kyley L. Scott	City of Reading, Wards 8, 9, 11, 12
Magisterial District 23-1-05 Magisterial District Judge Alvin B. Robinson	City of Reading, Wards 6, 7, 15, 19
Magisterial District 23-1-06 Magisterial District Judge Dean R. Patton	Laureldale Borough Muhlenberg Township
Magisterial District 23-2-01 Magisterial District Judge Priscilla Campos	City of Reading, Wards 1, 4, 5, 18
Magisterial District 23-2-02 Magisterial District Judge Eric J. Taylor	West Reading Borough Wyomissing Borough
Magisterial District 23-2-03 Magisterial District Judge Sandra L. Fegley	Mount Penn Borough Saint Lawrence Borough Exeter Township Lower Alsace Township
Magisterial District 23-2-04 Magisterial District Judge David L. Yoch	Kenhorst Borough Mohnton Borough Shillington Borough Cumru Township
Magisterial District 23-3-01 Magisterial District Judge David E. Glass	Birdsboro Borough New Morgan Borough Brecknock Township Caernarvon Township Robeson Township Union Township
Magisterial District 23-3-02 Vacant	Bally Borough Bechtelsville Borough Boyertown Borough Colebrookdale Township Douglass Township Earl Township Hereford Township Washington Township

Magisterial District 23-3-03
Magisterial District Judge Steven M. Chieffo

Topton Borough
Alsace Township
Amity Township
District Township
Longswamp Township
Oley Township
Pike Township
Rockland Township
Ruscombmanor Township

Magisterial District 23-3-04
Magisterial District Judge Gail M. Greth

Fleetwood Borough
Kutztown Borough
Lyons Borough
Maxatawny Township
Richmond Township

Magisterial District 23-3-05
Magisterial District Judge Brian K. Strand

Centerport Borough
Leesport Borough
Bern Township
Centre Township
Maidencreek Township
Ontelaunee Township

Magisterial District 23-3-06
Magisterial District Judge Kim L. Bagenstose

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

Magisterial District 23-3-07
Magisterial District Judge Andrea J. Book

Bernville Borough
Womelsdorf Borough
Bethel Township
Jefferson Township
Marion Township
North Heidelberg Township
Penn Township
Tulpehocken Township

Upper Bern Township
Upper Tulpehocken Township

Magisterial District 23-3-09
Magisterial District Judge Tonya A. Butler

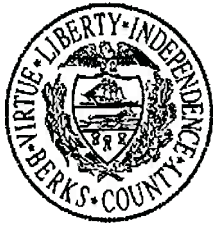
City of Reading, Wards 13, 14, 17

A True Copy Nicole Traini
As Of 05/24/2022

Attest: Nicole Traini
Chief Clerk
Supreme Court of Pennsylvania

Exhibit

R-3



Court of Common Pleas of Berks County

Twenty Third Judicial District of Pennsylvania
633 Court Street, Reading, PA 19601
Brendan L. Harker
District Court Administrator
(610) 478-6208 ext. 3683 Fax (610) 478-6366

From: Brendan L. Harker, District Court Administrator

Date: May 7, 2026

Subject: Notice of Proposed Changes to Magisterial Districts within the Twenty-third Judicial District (Berks County) of Pennsylvania and Period for Public Comment

The Unified Judicial System of Pennsylvania includes sixty judicial districts in the Commonwealth. The Twenty-third Judicial District comprises Berks County, a 3rd class county. Currently in Berks County there are seventeen magisterial districts under the supervision and administrative control of President Judge M. Theresa Johnson. Magisterial districts are comprised of boroughs, townships, and/or city wards. A magisterial district judge is elected to serve within a magisterial district for a six-year term. Magisterial district judges have jurisdiction over civil claims where the amount requested does not exceed \$12,000.00, landlord/tenant disputes, summary offenses (traffic and non-traffic offenses), and hold preliminary hearings in misdemeanor and felony cases. They grant emergency relief under the Protection From Abuse Act and the Older Adult Protective Services Act. Additionally, magisterial district judges issue arrest warrants, conduct preliminary arraignments, set and accept bail, issue search warrants, and perform marriage ceremonies.

Normally, the numbers and boundaries of the magisterial districts are reviewed after each decennial census. That review process is known as the decennial magisterial district reestablishment. However, circumstances can arise that prompt a review out of the normal sequence. A recent vacancy in Magisterial District 23-2-02 created such a circumstance and provided an opportunity for the Court to propose a change that will lead to more balanced caseloads among the magisterial districts in Berks County. President Judge Johnson will be requesting the Supreme Court of Pennsylvania to approve the elimination of Magisterial District 23-2-02 and realign Magisterial Districts 23-2-01 and 23-2-04 as follows:

Magisterial District 23-2-01

Current:

- City of Reading Wards 1, 4, 5, 18

Proposed:

- City of Reading Wards 1, 4, 5, 18, and West Reading Borough

Magisterial District 23-2-04

Current:

- Kenhorst Borough
- Mohnton Borough
- Shillington Borough
- Cumru Township

Proposed:

- Kenhorst Borough
- Mohnton Borough
- Shillington Borough
- Wyomissing Borough
- Cumru Township

For the period 2022 through 2025, Magisterial District 23-2-01's average annual filings were 2,157. When comparing average annual caseloads among the magisterial districts in the judicial district, this district court ranked 16th of 17 magisterial districts in the average number of filings. The district court varied by 68% from the County average of 4,390 and varied by 73% from the 3rd Class County average of 4,619. With the addition of average filings from West Reading Borough, Magisterial District 23-2-01 will move from 16th to 5th among the magisterial districts in Berks County with an estimated average caseload of 5,500. The district court's variance from the revised County average of 4,645 will decrease to 17%. The district court's variance from the revised 3rd Class County average also decreases to 17%.

For the same period, 2022 through 2025, Magisterial District 23-2-04's average annual filings were 3,526. When comparing average annual caseloads among the magisterial districts in the judicial district, this district court ranked 11th of 17 magisterial districts in the average number of filings. The district court varied by 22% from the County average of 4,390 and varied by 27% from the 3rd Class County average of 4,619. With the addition of average filings from Wyomissing Borough, Magisterial District 23-2-04 will move from 11th to 3rd among the magisterial districts in Berks County with an estimated average caseload of 6,107. The district court's variance from the revised County average of 4,645 increases slightly to 27%. The district court's variance from the revised 3rd Class County average is 27%.

Please note that because municipality-level data is not available for landlord/tenant and civil cases filed in the magisterial district courts, the average annual filings for these case types from Magisterial District 23-2-02 were split evenly between Magisterial Districts 23-2-01 and 23-2-04.

A thirty (30) day period for public comment on this proposed change is required prior to submission of a petition to the Supreme Court of Pennsylvania. Public comments concerning the proposed changes to the magisterial districts will be accepted through June 6, 2026. Comments may be sent by mail or email to:

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

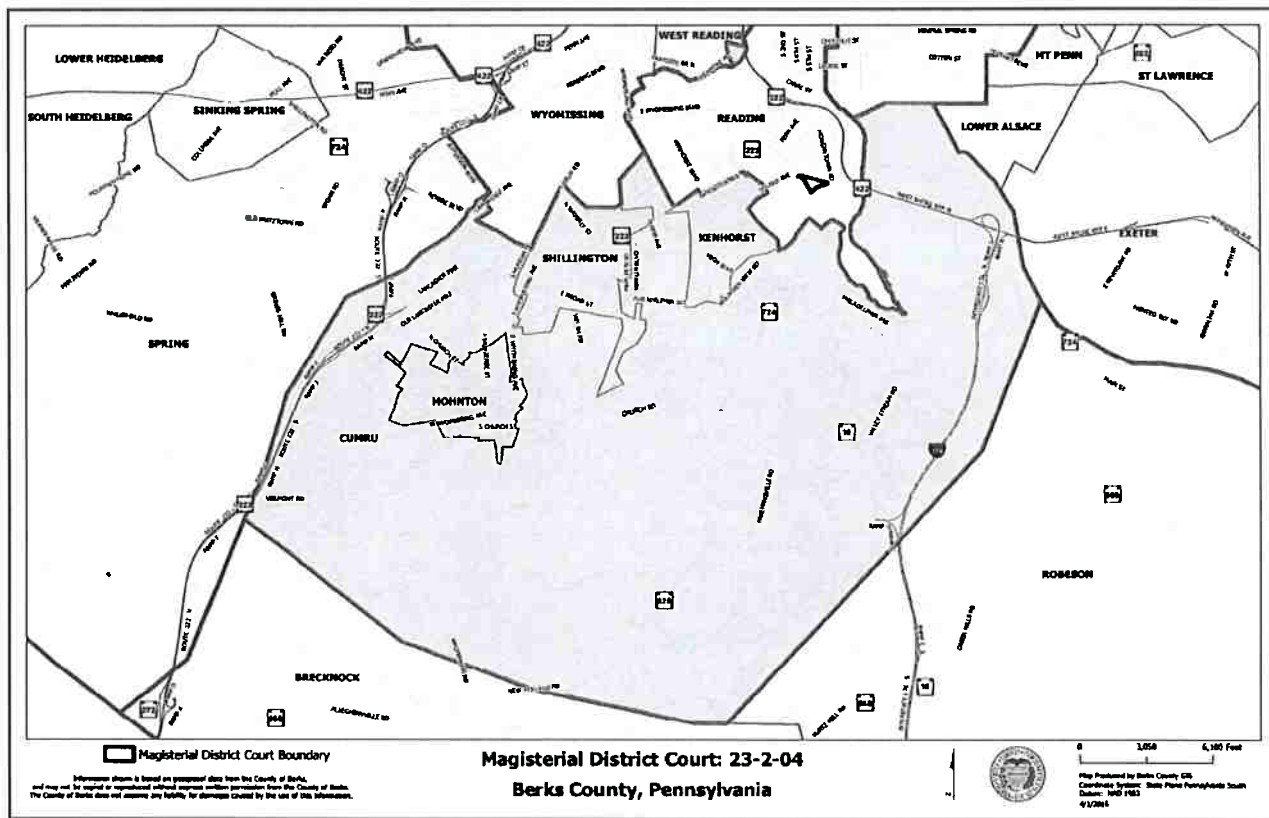
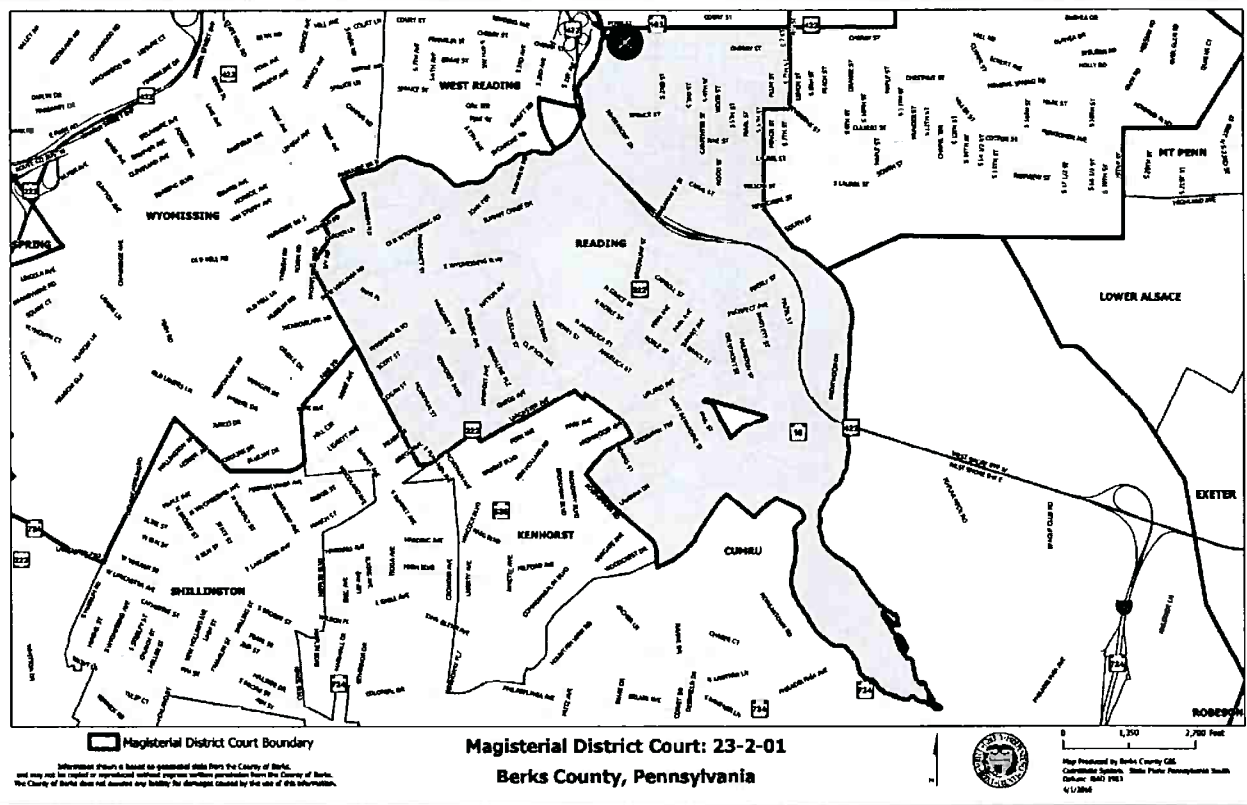
or

Specialcourtsadmin@berkspa.gov

Thank you for your interest and input regarding this important proposal.

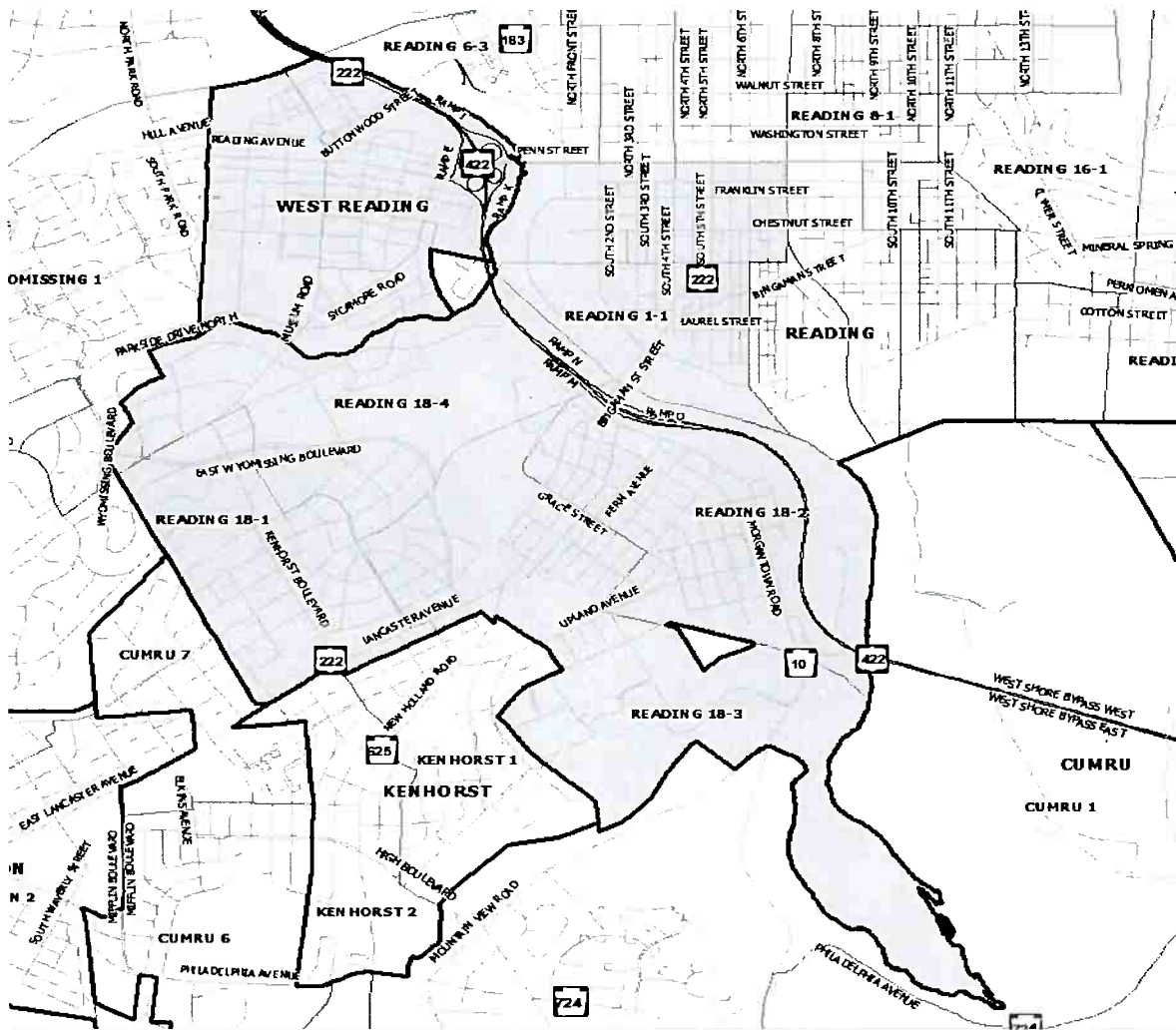
Enclosures: Current Boundaries Map
Proposed Boundaries Map

Current Boundaries



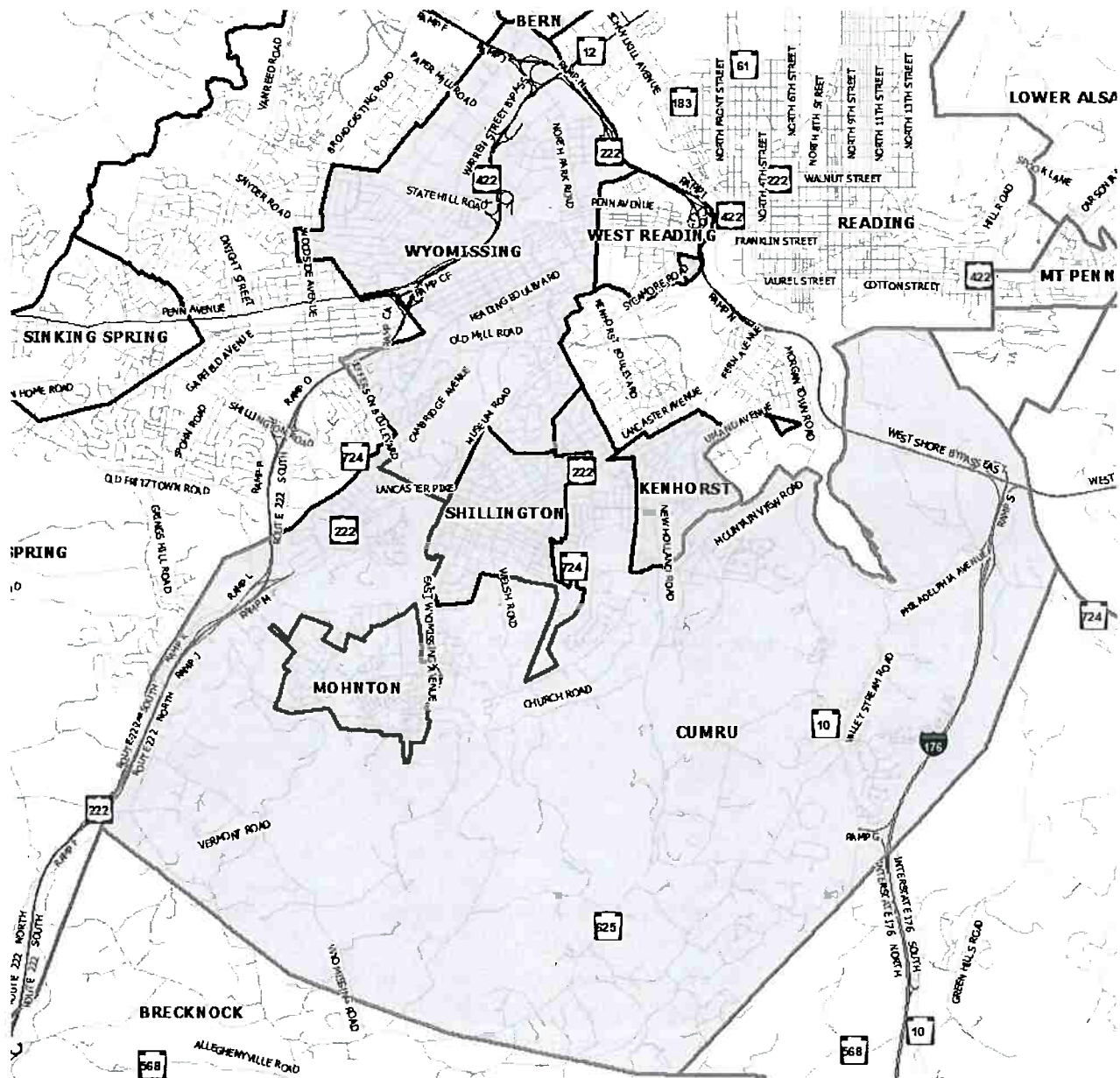
Modified Boundaries

Magisterial District 23-2-01:



Modified Boundaries

Magisterial District 23-2-04:



Exhibit

R-4

MAGISTERIAL DISTRICT JUDGE STATISTICAL REPORT

[illegible]

Exhibit

R-5

Class 3 Counties Magisterial District Court New Caseload Docket Filings

		2020	2021	2022	2023	2024
Berks County Population 439,117 17 MDJs 1 MDJ per 25,830 people Avg 3,866 Cases/Judge	Civil	3,301	3,779	3,114	3,589	5,087
	Criminal	5,580	5,598	5,384	5,526	5,504
	Landlord/Tenant	2,401	2,754	3,989	4,105	3,693
	Non-Traffic	6,939	7,722	7,819	7,142	7,044
	Traffic	33,460	40,810	43,764	51,647	56,366
	Private CR/NT	379	742	379	587	439
	Total	52,060	61,405	64,449	72,596	78,133
	Cases/Judge	3,062	3,612	3,791	4,270	4,596
Chester County Population 560,745 16 MDJs 1 MDJ per 35,047 people Avg 4,885 Cases/Judge	Civil	2,569	2,949	2,645	2,725	3,669
	Criminal	5,527	5,698	5,746	5,748	5,646
	Landlord/Tenant	1,231	1,793	2,839	3,195	3,001
	Non-Traffic	6,265	6,956	7,259	7,430	7,089
	Traffic	45,037	58,367	61,323	67,635	68,130
	Private CR/NT	24	37	84	84	134
	Total	60,653	75,800	79,896	86,817	87,669
	Cases/Judge	3,791	4,738	4,994	5,426	5,479
Cumberland County Population 275,516 10 MDJs 1 MDJ per 27,552 people Avg 4,068 Cases/Judge	Civil	1,753	1,870	1,684	2,114	2,637
	Criminal	4,462	4,028	3,915	4,138	4,052
	Landlord/Tenant	931	1,341	1,986	2,262	2,222
	Non-Traffic	4,025	3,793	3,640	3,905	4,003
	Traffic	27,505	29,362	26,364	28,189	30,032
	Private CR/NT	368	827	730	725	527
	Total	39,044	41,221	38,319	41,333	43,473
	Cases/Judge	3,904	4,122	3,832	4,133	4,347
Dauphin County Population 293,029 14 MDJs 1 MDJ per 20,931 people Avg 5,242 Cases/Judge	Civil	2,933	3,269	2,724	3,139	3,884
	Criminal	7,719	7,432	7,712	7,878	7,623
	Landlord/Tenant	3,856	4,841	6,926	7,024	7,422
	Non-Traffic	6,271	6,960	8,716	8,089	7,792
	Traffic	37,299	47,165	48,976	53,034	54,423
	Private CR/NT	452	605	743	898	1,106
	Total	58,530	70,272	75,797	80,062	82,250
	Cases/Judge	4,181	5,019	5,414	5,719	5,875

		2020	2021	2022	2023	2024
Erie County Population 267,750 13 MDJs 1 MDJ per 20,596 people Avg 3,527 Cases/Judge	Civil	2,088	2,462	2,336	2,722	3,189
	Criminal	4,569	5,035	5,164	5,692	5,800
	Landlord/Tenant	1,632	1,864	2,874	2,984	2,757
	Non-Traffic	7,114	7,973	8,566	9,199	9,063
	Traffic	20,399	24,861	29,445	28,749	28,298
	Private CR/NT	817	1,516	1,158	655	279
	Total	36,619	43,711	49,543	50,001	49,386
	Cases/Judge	2,817	3,362	3,811	3,846	3,799

Lackawanna County Population 216,859 10 MDJs 1 MDJ per 21,686 people Avg 3,686 Cases/Judge	Civil	1,195	1,172	2,194	2,443	3,309
	Criminal	2,433	3,406	3,997	4,171	4,500
	Landlord/Tenant	1,100	1,464	2,179	2,111	2,093
	Non-Traffic	2,978	3,229	3,585	4,272	3,551
	Traffic	17,263	24,319	25,841	26,630	30,253
	Private CR/NT	862	889	880	954	1,033
	Total	25,831	34,479	38,676	40,581	44,739
	Cases/Judge	2,583	3,448	3,868	4,058	4,474

Lehigh County Population 385,655 14 MDJs 1 MDJ per 27,547 people Avg 6,727 Cases/Judge	Civil	3,193	3,641	3,474	3,421	4,871
	Criminal	5,203	5,051	5,773	6,009	6,133
	Landlord/Tenant	3,664	4,709	6,915	6,901	6,891
	Non-Traffic	4,935	5,293	6,062	5,496	5,979
	Traffic	59,690	75,641	87,006	80,906	63,463
	Private CR/NT	70	189	133	136	28
	Total	76,755	94,524	109,363	102,869	87,365
	Cases/Judge	5,483	6,752	7,812	7,348	6,240

Luzerne County Population 331,379 16 MDJs 1 MDJ per 20,711 people Avg 4,439 Cases/Judge	Civil	3,786	4,082	3,521	4,097	5,399
	Criminal	5,569	5,988	5,896	5,551	5,694
	Landlord/Tenant	1,245	1,807	2,390	2,716	2,728
	Non-Traffic	8,522	8,304	8,988	10,257	10,309
	Traffic	40,476	47,007	50,380	51,925	52,916
	Private CR/NT	935	819	1,169	1,150	1,462
	Total	60,533	68,007	72,344	75,696	78,508
	Cases/Judge	3,783	4,250	4,522	4,731	4,907

		2020	2021	2022	2023	2024
Northampton County Population 322,989 14 MDJs 1 MDJ per 23,071 people Avg 3,948 Cases/Judge	Civil	2,485	2,907	2,478	2,905	3,783
	Criminal	4,063	3,880	3,960	4,029	3,882
	Landlord/Tenant	1,476	1,860	2,662	2,870	2,790
	Non-Traffic	3,906	4,131	4,702	4,846	4,766
	Traffic	33,178	41,162	44,090	43,592	43,988
	Private CR/NT	235	558	381	420	392
	Total	45,343	54,498	58,273	58,662	59,601
	Cases/Judge	3,239	3,893	4,162	4,190	4,257
2024						
Westmoreland County Population 350,935 16 MDJs 1 MDJ per 21,933 people Avg 2,948 Cases/Judge	Civil	2,799	3,466	3,061	3,343	4,209
	Criminal	5,338	5,697	5,602	5,147	5,254
	Landlord/Tenant	932	1,168	1,397	1,632	1,768
	Non-Traffic	4,352	4,241	4,496	4,885	4,824
	Traffic	25,972	31,370	30,949	33,534	31,672
	Private CR/NT	1,478	1,806	1,745	1,823	1,912
	Total	40,871	47,748	47,250	50,364	49,639
	Cases/Judge	2,554	2,984	2,953	3,148	3,102
York County Population 471,240 19 MDJs 1 MDJ per 24,802 people Avg 4,368 Cases/Judge	Civil	3,477	4,168	3,569	3,988	5,361
	Criminal	7,116	7,171	7,387	8,178	8,211
	Landlord/Tenant	3,486	4,253	7,188	7,344	7,717
	Non-Traffic	7,106	7,761	7,614	8,013	9,081
	Traffic	42,931	58,812	56,292	59,289	58,710
	Private CR/NT	1,343	2,282	2,477	2,800	1,840
	Total	65,459	84,447	84,527	89,612	90,920
	Cases/Judge	3,445	4,445	4,449	4,716	4,785

- Note – AOPC statistical data is only available through 2024 at this time.

Exhibit

R-6

3rd Class Counties Ranked by Caseload from 2020-2024

Rank	County	Avg Cases per Judge
1	Lehigh	6727
2	Dauphin	5242
3	Chester	4885
4	Luzerne	4439
5	York	4368
6	Cumberland	4068
7	Northampton	3948
8	Berks	3866
9	Lackawanna	3686
10	Erie	3527
11	Westmoreland	2948

Exhibit

R-7

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF BERKS

TOWNSHIPS OF:
BETHEL, TULPEHOCKEN,
JEFFERSON, MARION, PENN,
NORTH HEIDELBERG, UPPER BERN
AND UPPER TULPEHOCKEN
BOROUGHS OF:
BERNVILLE, STRAUSSTOWN AND
WOMELSDORF

ANDREA BOOK
MAG. DISTRICT JUDGE
Magisterial District 23-3-07
7191 Bernville Rd. (Rt. 183)
Bernville, PA 19506

MONDAY - FRIDAY
9:00AM-5:00PM
TEL: 610-488-6224
FAX: 610-488-0579

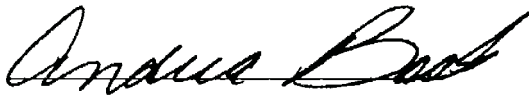
Honorable Justices of the Supreme Court of the Commonwealth of Pennsylvania:

The Berks Special Court Judges Association (SCJA) is strongly opposed to the proposed closing of court 23-2-02 for many reasons. The first reason is the caseload within this court. It is the second busiest in our county and closing it would be a hardship for police, residents and businesses. Closing will impede access to justice in these communities. This is a densely populated area consisting of two boroughs, West Reading and Wyomissing. Last year the court handled 6657 cases. The average caseload across Berks county is 4350. As you can see, the caseload in this court is well above the average in the County. In the proposed redistricting, it is estimated that 2/3 of the filings come from West Reading and 1/3 from Wyomissing. In tracking those numbers to the proposed newly formed boundaries, Court 23-2-04 would have an approximate caseload of 5815 and Court 23-2-01 would have an average caseload of 6502. Therefore, by closing this busy court, both of these courts become well above the county average and state average (3682 in 2024). That will make the courts less efficient and create unnecessary delays for all court users.

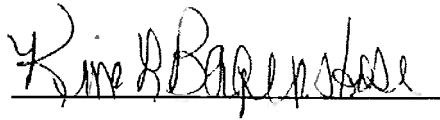
Due to the higher numbers in the planned redistricting, police have expressed concerns about the amount of time officers will have to be waiting in court due to the high volume of cases. Effectively, the concern is officers will have less time to police because of the longer wait times to have cases heard in court. Along those same lines, the current property in which MDJ Campos is housed cannot support the number of cases which would now be in her court. It does not have the space to accommodate the number of defendants, police, witnesses, attorneys and public.

Another concern of Berks SCJA is that this is a closure of opportunity and does not fit into the well established procedure of reestablishment that follow each decennial census. That is the proper time to review each courts boundaries and make any changes. This is not the time for changes to be made. When a court becomes vacant, for whatever reason, there are procedures to procure coverage and allow the court to remain open until a new MDJ can be elected or appointed. The county is not following the procedures set in place by the AOPC. The county is trying to circumvent the established policies and close the court, not to the benefit of the public or colleagues, but out of convenience.

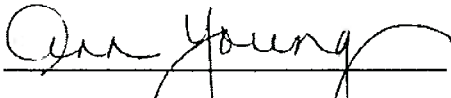
The Berks SCJA appreciates to opportunity to address this Honorable Court on this matter.



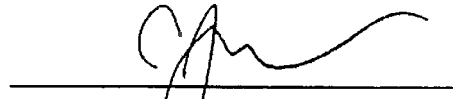
Andrea Book, Magisterial District Judge



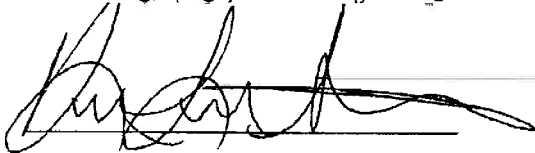
Kim Bagenstose, Magisterial District Judge



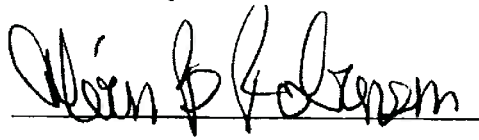
Ann Young, Magisterial District Judge



Carissa Johnson, Magisterial District Judge



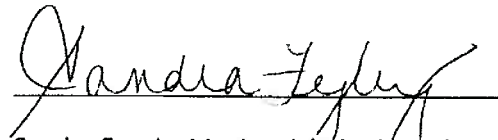
Kyle Scott, Magisterial District Judge



Alvin Robinson, Magisterial District Judge



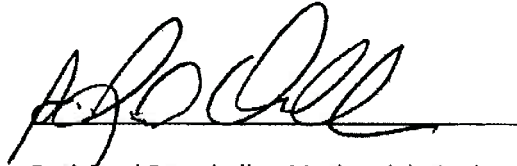
Colleen Dugan, Magisterial District Judge



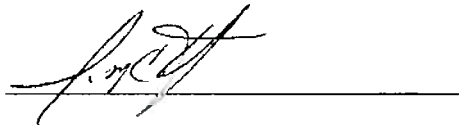
Sandra Fegely, Magisterial District Judge



Michael Kauffman, Magisterial District Judge



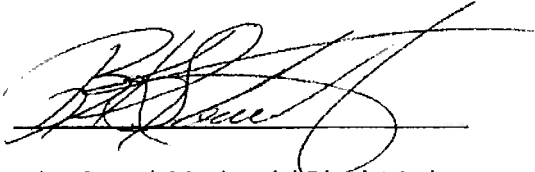
F. Richard Drumheller, Magisterial District Judge



Steven Chieffo, Magisterial District Judge



Gail Greth, Magisterial District Judge



Brian Strand, Magisterial District Judge

MDJ David Yoch abstained as this potentially impacts his court.

MDJ Priscilla Campos is for the redistricting.