



MICHAEL R. KEHS, ESQ.
COURT ADMINISTRATOR

JOHN E. SAVOTH, ESQ.
DEPUTY COURT ADMINISTRATOR,
SPECIAL COURTS

JENNIFER SALDUTTI
FINANCIAL MANAGER

MATTHEW G. HONEYMAN
FACILITIES MANAGER

PHONE: 610-278-3058
FAX: 610-278-5916

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MONTGOMERY
MAGISTERIAL DISTRICT COURT ADMINISTRATION
MONTGOMERY COUNTY COURTHOUSE
PO Box 311
NORRISTOWN, PA 19404-0311

February 25, 2022

Joseph Mittleman, Esquire
Judicial Programs Director
Administrative Office of Pennsylvania Courts
1515 Market Street, Suite 1414
Philadelphia, PA 19102

RE: Magisterial District Reestablishment Plan

Dear Joe:

Enclosed please find the following for the 38th Judicial District—Montgomery County:

- Judicial District Summary Worksheet
- Posting Notice
- Public Comments
- Individual District Worksheets (30)
- Final Proposal for Reestablishment
- District Map

Please note the following changes to the Draft Proposal which was posted for public comment on December 29, 2021. The Draft Proposal originally recommended, inter alia, the elimination of two (2) Magisterial Districts within Montgomery County. After further review of the relevant criteria, and in consideration of the public comments submitted on said Proposal, along with comments from magisterial district judges, we are now recommending the elimination of one district (38-1-14) and the realignment of the second (38-1-02). As noted in the Final Proposal, all recommended changes would take effect on January 1, 2024.

Very truly yours,

John E. Savoth, Esquire
Deputy Court Administrator-Special Courts

Cc: The Honorable Carolyn Carluccio, President Judge
Michael Kehs, Esquire, District Court Administrator



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FINAL SUBMISSION PROPOSAL

REESTABLISHMENT OF THE MAGISTERIAL DISTRICTS WITHIN THE 38TH JUDICIAL DISTRICT OF THE COMMONWEALTH OF PENNSYLVANIA– MONTGOMERY COUNTY

February 25, 2022

The following pages contain the final submission proposal for Reestablishment of the Magisterial Districts within the 38th Judicial District of the Commonwealth of Pennsylvania – Montgomery County.

Details of the proposal are contained in the Recommendations Summary and the individual Magisterial District Reestablishment Worksheets (with maps).

Hon. Carolyn T. Carluccio
President Judge-Elect

By way of brief summary, please be advised of the following:

- Montgomery County (Class 2A county) currently has 30 Magisterial Districts.
- Other Class 2A counties (Bucks, Chester, Delaware, Lancaster) average 21 Magisterial Districts.
- The average caseload for Magisterial District Courts in Pennsylvania's Class 2A counties is 5,525. The average caseload for Magisterial District Courts in Montgomery County is 5,733.
- The average workload (weighted caseload calculation) for Magisterial District Courts in Pennsylvania's Class 2A counties is 39,310. The average workload for Magisterial District Courts in Montgomery County (Class 2A) is 37,385.
- Since the previous Reestablishment in 2012, Magisterial District Courts in Montgomery County have seen a 14.7% decrease in annual caseload (-28,664 fewer annual cases in 2019 vs. 2012 annual case filing total).
- Since the previous Reestablishment in 2012, Magisterial District Courts in Montgomery County have seen a 19.6% decrease in annual average workload per Magisterial District (46,524 workload per Magisterial District Court in 2012 vs. 37,385 workload per Magisterial District Court in 2019).
- The draft proposal recommends that 17 Magisterial Districts within Montgomery County be **Reestablished** (no change to boundaries).
- The draft proposal recommends that 12 Magisterial Districts within Montgomery County be **Realigned** (change to boundaries).
- The draft proposal recommends that 1 Magisterial District within Montgomery County be **Eliminated**.
- Additional "case reassignments" are proposed, unrelated to district boundaries.
- The draft proposal recommends that Montgomery County reduce to 28 Magisterial Districts.

MONTGOMERY COUNTY DISTRICT COURTS
REESTABLISHMENT RECOMMENDATIONS – 2021/2022

REESTABLISHED (17) MAGISTERIAL DISTRICTS
(NO CHANGES IN BOUNDARIES – EFFECTIVE 1/1/2024)

- **38-1-01** Judge Marc A. Alfarano – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 4,864
 - Current 6-yr. (2014-2019) average workload of 36,881

 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 4,601 and 34,643 respectively.

- **38-1-04** Judge John D. Kessler – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,668
 - Current 6-yr. (2014-2019) average workload of 36,611

 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,509 and 37,138 respectively.

- **38-1-05** Judge Juanita A. Price – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,260
 - Current 6-yr. (2014-2019) average workload of 38,138

 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,088 and 35,255 respectively.

- **38-1-08** Judge Katherine E. McGill Magid – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,363
 - Current 6-yr. (2014-2019) average workload of 23,246

- Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,224 and 23,597 respectively.

- **38-1-10** Judge Patricia A. Zaffarano – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,195
 - Current 6-yr. (2014-2019) average workload of 27,737

 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,174 and 27,426 respectively.

- **38-1-11** Judge Scott T. Palladino – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,323
 - Current 6-yr. (2014-2019) average workload of 56,333

 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,289 and 55,687 respectively.

- **38-1-12** Judge Edward C. Kropp, Sr. – current term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 5,821
 - Current 6-yr. (2014-2019) average workload of 55,906

 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,926 and 57,106 respectively.

- **38-1-15** Judge Francis J. Lawrence, Jr. – current term expires 1/2/2022
 - Denise Ashe – term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 6,596
 - Current 6-yr. (2014-2019) average workload of 41,402

 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,052 and 32,411 respectively.

- **38-1-16** Judge Margaret A. Hunsicker-Fleischer – current term expires 12/31/2023

 - Current 6-yr. (2014-2019) average caseload of 7,754
 - Current 6-yr. (2014-2019) average workload of 46,957
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 6,273 and 39,262 respectively.

- **38-1-18** Judge Andrea D. Duffy – current term expires 12/31/2023

 - Current 6-yr. (2014-2019) average caseload of 7,869
 - Current 6-yr. (2014-2019) average workload of 49,051
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 7,849 and 49,266 respectively.

- **38-1-21** Judge Suzan Leonard – current term expires 12/31/2023

 - Current 6-yr. (2014-2019) average caseload of 6,605
 - Current 6-yr. (2014-2019) average workload of 39,133
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 6,646 and 38,344 respectively.

- **38-1-24** Judge Albert J. Augustine – current term expires 12/31/2023

 - Current 6-yr. (2014-2019) average caseload of 4,362
 - Current 6-yr. (2014-2019) average workload of 38,423
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 3,853 and 35,922 respectively.

- **38-1-25** Judge James P. Gallagher – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 4,106
 - Current 6-yr. (2014-2019) average workload of 32,051
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,009 and 33,133 respectively.

- * **Notes:** The continued development in Upper Merion Township (King of Prussia) thus far has not increased the caseload of court 38-1-25 as was anticipated during the previous decennial review. Therefore, it is anticipated that all Montgomery County East/West Turnpike cases are to be transferred to District Court 38-1-25 effective January 1, 2024 (no change in boundaries). Average annual case filings of 1,080 (included in above projections). This proposed change is projected is create a more equitable balance with adjacent districts.

- **38-1-28** Judge Edward J. Levine – current term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 6,617
 - Current 6-yr. (2014-2019) average workload of 51,998
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 6,820 and 51,486 respectively.

- **38-2-02** Judge Maureen C. Coggins – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,280
 - Current 6-yr. (2014-2019) average workload of 34,764
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,344 and 33,532 respectively.

- **38-2-03** Judge Maurice H. Saylor – current term expires 1/4/2026
 - Current 6-yr. (2014-2019) average caseload of 4,415
 - Current 6-yr. (2014-2019) average workload of 28,859

- Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 4,435 and 28,905 respectively.
- * **Note:** District Courts 38-2-02 and 38-2-03 have maintained consistent caseloads and workloads. Though both are below average for this Magisterial District, combining these two courts into one new District would create a travel burden for both the police departments and the public residing in the municipalities of these districts.
- **38-2-09** Judge Gregory Scott – current term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 3,577
 - Current 6-yr. (2014-2019) average workload of 27,620
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,291 and 38,998 respectively.

REALIGNED (12) MAGISTERIAL DISTRICTS
(CHANGES IN BOUNDARIES – EFFECTIVE 1/1/2024)

- **38-1-02** Judge Elizabeth A. McHugh-Casey – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 4,214
 - Current 6-yr. (2014-2019) average workload of 27,043
 - **Receive Cheltenham Voting Districts 3-2 and 3-3 from District Court 38-1-03 to create improved equity between the districts, both of which represent Cheltenham Township.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,187 and 28,185 respectively.
- **38-1-03** Judge Christopher J. Cerski – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,460
 - Current 6-yr. (2014-2019) average workload of 39,028
 - **Transfer Cheltenham Voting Districts 3-2 and 3-3 to District Court 38-1-02 to create improved equity between the district, both of which represent Cheltenham Township.**

- Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,139 and 33,381 respectively.

- **38-1-06** Judge Henry J. Schireson – current term expires 12/31/2025
 - Current 6-yr. (2014-2019) average caseload of 7,984
 - Current 6-yr. (2014-2019) average workload of 30,365

 - **Transfer West Conshohocken Borough from District Court 38-1-09 to create improved balance between adjacent districts.**
 - **Transfer Lower Merion Voting Districts 10-3 and 11-2 to District Court 38-1-07, and transfer Lower Merion Voting Districts 3-2 and 3-3 to District Court 38-2-04. These changes are to offset expected increase from the addition of West Conshohocken Borough, and to maintain continued balance among the 3 Lower Merion Magisterial Districts.**
 - **All Schuylkill Expressway (I-76) cases for Lower Merion Township will remain with court 38-1-06.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 7,679 and 29,827 respectively.

- **38-1-07** Judge Michael P. Quinn – current term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 6,913
 - Current 6-yr. (2014-2019) average workload of 26,784

 - **Transfer Lower Merion Voting Districts 10-3 and 11-2 from District Court 38-1-06 to maintain continued balance among the 3 Lower Merion Magisterial Districts.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 7,302 and 27,339 respectively.

- **38-1-09** Judge Patrick O. Krouse – current term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 6,125
 - Current 6-yr. (2014-2019) average workload of 49,093

 - **Transfer West Conshohocken Borough to District Court 38-1-06 to create improved balance between adjacent districts.**

- Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 4,635 and 42,076 respectively.

- **38-1-13** Judge Francis J. Bernhardt – current term expires 1/2/2022
 - Jodi Lukens Griffis - term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 7,078
 - Current 6-yr. (2014-2019) average workload of 43,821

 - **Transfer Conshohocken Borough Voting Districts 1, 4, 6 to District Court 38-1-23 to create improved balance between adjacent districts, and to have all of Conshohocken Borough within the same Magisterial District.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,905 and 42,447 respectively.

- **38-1-19** Judge Richard H. Welsh – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 7,134
 - Current 6-yr. (2014-2019) average workload of 49,665

 - **Transfer Upper Providence Voting District Monte Clare to District Court 38-1-20 to create improved balance between adjacent districts, both of which service Upper Providence Township.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 6,571 and 46,763 respectively.

- **38-1-20** Judge Cathleen Kelly Rebar – current term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 4,978
 - Current 6-yr. (2014-2019) average workload of 41,796

 - **Transfer Upper Providence Voting District Monte Clare from District Court 38-1-19 to create improved balance between adjacent districts, both of which service Upper Providence Township.**

- Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,530 and 44,824 respectively.

- **38-1-22** Judge Harry J. Nesbitt, III – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 3,664
 - Current 6-yr. (2014-2019) average workload of 19,596

 - **Transfer Horsham Voting Districts 3-2, 3-3, and Hatboro Borough from District Court 38-1-14 upon its elimination. This also brings all of Horsham Township within the same Magisterial District.**
 - **This proposed change will create a more equitable balance between this court and adjacent districts.**
 - **Need exception to contiguous requirement. There is one Upper Moreland Voting District (+/- 1/10 of a mile) that separates Horsham and Hatboro.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 5,524 and 30,904 respectively.

- **38-1-23** Judge Deborah A. Lukens – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,495
 - Current 6-yr. (2014-2019) average workload of 27,560

 - **Transfer Conshohocken Borough Voting Districts 1, 4, and 6 from District Court 38-1-13 to create improved balance between adjacent districts, and to have all of Conshohocken Borough within the same Magisterial District.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 6,194 and 31,622 respectively.

- **38-2-04** Judge Karen Eisner Zucker – current term expires 1/2/2028
 - Current 6-yr. (2014-2019) average caseload of 6,952
 - Current 6-yr. (2014-2019) average workload of 31,146

- **Transfer Lower Merion Voting Districts 3-2 and 3-3 from District Court 38-1-06 to maintain continued balance among the 3 Lower Merion Magisterial Districts.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 7,274 and 32,290 respectively.

- **38-2-08** Judge Jay S. Friedenberg – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 5,324
 - Current 6-yr. (2014-2019) average workload of 36,595

 - **Transfer Upper Moreland Voting Districts 2-1, 2-2, 3-2, 5-1, 5-2, 7-1, and 7-2 from District Court 38-1-14 upon its elimination. This also brings all of Upper Moreland within the same Magisterial District.**
 - Based on most recent (pre-pandemic 2016-2019) caseload and workload data, future caseload and workload is expected be approximately 7,516 and 50,629 respectively.

ELIMINATED (1) MAGISTERIAL DISTRICT
(EFFECTIVE 1/1/2024)

- **38-1-14** Judge Paul N. Leo – current term expires 12/31/2023
 - Current 6-yr. (2014-2019) average caseload of 4,594 (25th of 30 courts)
 - Current 6-yr. (2014-2019) average workload of 29,151 (22% below average for Magisterial Districts in Montgomery County)

 - **Magisterial District elimination will take effect 1/1/2024 upon the retirement of Judge Leo.**
 - **Transfer Horsham Voting Districts 3-2, 3-3, and Hatboro Borough to District Court 38-1-22. This also brings all of Horsham Township within the same Magisterial District.**
 - **Transfer Upper Moreland Voting Districts 2-1, 2-2, 3-2, 5-1, 5-2, 7-1, and 7-2 to District Court 38-2-08. This also brings all of Upper Moreland within the same Magisterial District.**

*** Note:** From 2012-2019 this District Court has had a consistently decreasing caseload, going from 8th of 30 in 2012 (7,193 annual case filings) to 28th of 30 in 2019 (4,048 case filings). This decrease has created a disparity with adjacent districts, and that disparity can best be remedied by elimination of this District Court.