



TO: Carolynn Perry, Magisterial District Judge Administrator

FROM: Mark Pinsley, County Controller



DATE: August 23, 2021

RE: Magisterial District Court Offices – County of Lehigh
Addendum to MDC Summary Report #20-29
Co-location of District Court Offices

We have completed a follow-up audit of Audit Report #20-29, Magisterial District Court Summary Report – Schedule of Prior Audit Findings and Recommendations. Our audit report number 21-14 is attached.

The result of our audit is:

The court continues to identify opportunities to reduce costs, and we recommend this effort continue as current leases expire.

Court and County Administration should continue their efforts to co-locate district court offices to suitable county owned properties.





Lehigh County
Pennsylvania

OFFICE OF THE CONTROLLER

Mark Pinsley, MBA Thomas Grogan, CPA
COUNTY CONTROLLER DEPUTY CONTROLLER

COUNTY OF LEHIGH, PENNSYLVANIA

MAGISTERIAL DISTRICT COURT OFFICES

ADDENDUM TO THE SUMMARY REPORT #20-29

REPORT NO. 21-14





TO: Carolyn Perry, Magisterial District Judge Administrator

FROM: Mark Pinsley, County Controller

DATE: August 23, 2021

RE: Magisterial District Court Offices – County of Lehigh
Addendum to MDC Summary Report #20-29
Co-location of District Court Offices

The Controller's department has followed-up on the status of the "Co-location of Magisterial District Courts", audit finding #3, reported on 12/30/20 in the **Magisterial District Court Summary Report – Schedule of Prior Audit Findings and Recommendations**. See Addendum A. The subject of co-location was initially addressed by the Controller's Office in report #10-64A, Magisterial District Court Offices- Decennial Reorganization.

Since the release of report #20-29, a petition was granted March 1, 2021 by the PA Supreme Court to relocate MDJ Santiago's office 31-1-02 outside of the elected district to the Old Lehigh County Courthouse (the "Old Courthouse") 31-2-01 at 501 Hamilton Street in Allentown. This change will eliminate \$76,072 in annual leasing costs by using property owned by the County.

Estimated security costs for the co-located courts cannot be determined presently. Discussions with the Lehigh County Sheriff found that security arrangements for the Old Courthouse have not been finalized. The Sheriff did begin implementing in 2021 a MDJ security plan based on then President Judge Reibman's request and state-wide concerns over lack of security at MDJ district courts. This initiative is budgeted for \$500,000 in the 2021 County budget. It includes hiring deputies and acquiring safety related equipment. It may increase if additional personnel are hired or equipment purchased.

Recent inquiry with the Director of General Services indicated that they have studied the co-locating MDC offices as leases expire and have delayed any further analysis until after the Old Courthouse project as there are many concerns beyond financial that need to be considered.

Another uncertainty affecting the moving forward of co-locating offices, is the redistricting of 14 magisterial districts. Final redrawing of the district maps boundaries is expected to be finalized in 2023.

Once the Old Court house project is finished and redistricting is finalized, there should be a better understanding of what future co-locations are possible.





Further inquiries were made of the Court Administration to assess whether all aspects and alternatives are being evaluated when leases expire (See Addendum B). The factors included in their evaluation included: co-location of offices, using County owned properties, convenience to the public, future trends in demographics (population mix, elderly, low-to-moderate income), infrastructure (accessibility, roads, expansion, utilities), Lehigh Valley Planning Commission and other third-party concerns, PA rules and standards with respect to offices of magisterial district judges, lease space, security, and parking.

In conclusion, it appears that the court has continued to look for opportunities to minimize cost, and we recommend this effort continue as current leases listed in Addendum B expire.

We wish to thank General Services Administration, Court Administration and the Sheriff's Office for their cooperation.

Mark Pinsley
County Controller

August 23rd, 2021
Allentown, PA

Audited by:

Allan Vavra

Final Distribution:

Board of Commissioners
Philips Armstrong, County Executive
The Honorable J. Brian Johnson, President Judge
Kerry Turtzo, Court Administrator
Joseph Hanna, Sheriff
Edward Hozza, Director of Administration
Richard Molchany, Director of General Services
Timothy Reeves, Fiscal Officer





Addendum A
Finding #3 Co-location of Magisterial District Courts

Re: Managerial District Court Summary Report 12/30/20 – Schedule of Prior Audit Findings and Recommendations.

Finding #3

Co-location of Magisterial District Courts

Condition: Co-location of MDC's was originally discussed in audit report #10-64A, issued November 8, 2010, whereby consolidation could result in significant cost savings. There have been numerous subsequent discussions with management regarding the financial and operational merits of this concept.

Recommendation: We encourage the County Administration and the Court Administration to develop a transition plan whereby MDC's would be consolidated into County-owned properties as leases expire. Co-locating two or more courts in the same building (similar to common pleas courts) would increase cost savings and as well as the benefits derived from utilizing shared resources.

Update: As of December 31, 2019, none of the MDC's have been co-located.

Written response 12/29/20

The court continues to look for opportunities to minimize cost expended by Lehigh County for the purpose supporting District Court offices. The Court has recently petitioned the Pennsylvania Supreme Court to relocate District Court 31-1- 02 outside of the elected district to share space with District Court 31-2-01 in the Old Courthouse.' This move will reduce costs to the county for rent, security, and other miscellaneous resources. It should be noted that while district courts are permitted to share an address, with the approval of the PA Supreme Court, Pennsylvania Law requires that each office remain separate and distinct. This would include separate staff, separate court rooms, separate customer counters, separate filing areas, etc.

Update: As of March 1, 2021, the County received permission from the PA Supreme Court to relocate MD Justice Santiago's court 31-1-02 outside its current district boundary to the Old Courthouse.





Updated Recommendation: Court and County Administration should continue their efforts to co-locate district court offices to suitable county owned properties. The following is a summary of current district office lease expiration dates:

<u>Year Expiring</u>	<u>Leases Expiring</u>	<u>Final Year Rent</u>
2021	3	\$ 92,760
2023	2	\$ 90,336
2025	1	\$ 58,300
2026	3	\$180,979
2030	1	\$ 53,399
2031	<u>1</u>	<u>\$127,509</u>
Total	11	\$603,283

There are 2 district court offices that are in county owned buildings. MDJ Santiago will relocate to a county owned building upon expiration of its lease. These 3 court offices are not included in the amounts above.

The rent totals above indicate that rent expenses for MD offices are sizable. Lease expiration dates are staggered and therefore provide flexibility for planning renovations and relocations.





Addendum B
Magisterial County Court Leases by Expiration Date

MDJ Office	MDJ Office #	Address	Expiration Date
Pochron	31-1-08	3000 S. Pike Ave, Allentown, PA 18103	6/30/2021
Creighton	31-3-01	106 S. Walnut Street, Slatington, PA 18080	10/31/2021
Trexler	31-3-03	21 N. Main Street, Coopersburg, PA 18036	12/31/2021
Faulkner	31-3-02	5925 Tilghman Street, Allentown, PA 18104	12/31/2023
Howells	31-1-04	1501 Lehigh Street, Allentown, PA 18103	12/31/2023
Butler	31-2-03	106 Main Street, Emmaus, PA 18049	2/28/2025
D'Amore	31-1-05	1007 Union Blvd., Allentown, PA 18109	2/28/2026
Manescu	31-1-03	1428-1452 W. Hamilton Blvd, Allentown, PA 18102	2/28/2026
Heffelfinger	31-1-07	3678 Crescent Court East, Whitehall, PA 18052	5/31/2026
Maura	31-1-06	623 W. Union Blvd., Suite 4 & 5, Bethlehem, PA 18018	6/30/2030
Hammond	31-2-02	3900 Hamilton Blvd., Suite 101, Allentown, PA 18103	4/30/2031
Santiago	31-1-02	Moving to County-owned building after 4/30/2023	
Devine	31-2-01	County-owned building	
Engler	31-1-01	County-owned building	

Note:

1. A new lease has not yet been executed for MDJ Pochron #31-1-08.

