

# COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

CITY OF CHESTER

**WILDEN H. DAVIS**  
**MAGISTERIAL DISTRICT JUDGE**

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Supreme Court of Pennsylvania  
Criminal Procedure Rules Committee  
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As a Magisterial District Judge that's been recently re-elected to serve my second six-year term in the City of Chester, the thirty second judicial district. I've become quite experienced with traffic, non-traffic, landlord and tenant, preliminary hearings, payment determination hearings, truancy, and PFA's. These last six years have allowed me to build rapport with people from different religions, cultures, ethnicities, genders, etc.... Mostly gratifying, but nevertheless, it's provided me with a ton of knowledge that I must admit I didn't have prior to taken the office.

Furthermore, I've also become very familiar with many indigent constituents in the city of Chester. In more cases than I can count I've seen some of the same indigent defendants repeatedly for fines and costs that they simply can't afford to pay off.

In Delaware County, I wish there was a more effective way to move these cases from our dockets. My colleagues and I continuously work hard and diligently to be firm, but fair. Often displaying leniency with indigent defendants realizing they simply don't have the funds to pay. It's no surprise that at the conclusion of payment determination hearings these defendants are set on payment plans as low as \$10 monthly. Moreover, the bigger issue is the Rules do not provide clear standards on what it means to be able to pay.

In one of our neighboring areas, the county of Chester, there is a court order that has allowed their

MDJ's to adequately and more effectively handle these cases at the time of the PDH. By permitting them to close the cases as uncollectable. I'd really like to see if a similar policy could be orchestrated in Delaware county. I believe this would be extremely effective.

The most recent census performed on the City of Chester was 2010. The population was 33,972. The median annual income was \$28,607. Not nearly tipping the scales of a middle-class family.

In conclusion, it's my respective opinion that if a new, more specific policy relating to indigent individuals could be placed into existence it would be supported by the Magisterial District Judges across the Commonwealth.

**President District 11**

Wilden H. Davis

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