Magisterial District Reestablishment 2012

Judicial District Summary Sheet

County Name: Greene

Judicial District #: 13

Caseload and Magisterial District Elimination Analysis

The difference between the average annual caseload of Judicial District # 13 and its class of county: -12% Note: If the difference is >/= 10% no proposed eliminations or justification is required.

Summary of Proposed Actions		
13-3-01	Realign	
13-3-02	Realign	
13-3-03	Reestablish	

Night/Central/Alternate Court Operations

This judicial district utilizes the following diversionary courts to assist in balancing workload:

Central Court: No Night Court: No

Public Comment

Proposal Posted for Public Comment: Yes Comments Received: Yes

Comments received from Harry Cancelmi, Esq.: Proposes a central court for criminal proceedings; realign Franklin Township to eliminate the awkward boundaries of magisterial district 13-3-02; and improve facilities to promote safety and accessibility.

After realignment of two districts, all three districts will be within ten percent of the the county average and within fifteen percent of the class of county average. The population density in this district is very low which impacts access to justice if one district is eliminated. Further, infrastructure in this county is lacking. Eliminating a district will increase the remaining MDJs workload to 46% above the average workload for an MDJ in a sixth class county.

Magisterial District Reestablishment 2012

County Name: Greene

Judicial District #: 13

Existing and Proposed Magisterial Districts

Magisterial District #: 13-3-01

Proposed Action: Realign

Average Annual Caseload: 1,775 Average Annual Workload: 17,133

% Difference in Caseload -37.00 % Difference in Workload -28.00

(magisterial district/judicial district): (magisterial district/judicial district):

% Difference in Caseload -45.00 Workload outside of a +/- 15% range requires realignment or

(magisterial district/class of county): support to maintain current configuration.

Proposed realignment will help alleviate workload inequity.

Magisterial District Judge & Office Information:

Louis M. Dayich Birthdate: 3-13-62

144 West High Street Mandatory Retirement: 2032

Waynesburg, PA 15370 Term Expires: 12-31-17

Existing Geography:

ALEPPO TWP Voting District; CENTER TWP Voting
District; FREEPORT TWP Voting District; GILMORE TWP
Voting District; GRAY TWP Voting District; JACKSON
TWP Voting District; MORRIS TWP Voting District;
RICHHILL TWP Voting District; SPRINGHILL TWP Voting
District; WAYNE TWP VTD EAST; WAYNE TWP VTD
WEST; WAYNESBURG WD 01; WAYNESBURG WD 02;
WAYNESBURG WD 03

Office within district: Yes

Residence within district: Yes

Police Departments: Waynesburg Boro PD, PSP

Major Highways: PA 18, PA 21, US 19

Proposed Geography:

ALEPPO TWP Voting District; CENTER TWP Voting
District; FREEPORT TWP Voting District; GILMORE TWP
Voting District; GRAY TWP Voting District; JACKSON
TWP Voting District; MORRIS TWP Voting District;
PERRY TWP Voting District; RICHHILL TWP Voting
District; SPRINGHILL TWP Voting District;
WASHINGTON TWP Voting District; WAYNE TWP VTD
EAST; WAYNE TWP VTD WEST; WAYNESBURG WD 01;
WAYNESBURG WD 02; WHITELEY TWP Voting District

Existing and Proposed Magisterial Districts

Magisterial District #: 13-3-02

Proposed Action: Realign

Average Annual Caseload: 4,004 Average Annual Workload: 29,294

% Difference in Caseload 41.00 % Difference in Workload 22.00

(magisterial district/judicial district): (magisterial district/judicial district):

% Difference in Caseload

Workload outside of a +/- 15% range requires realignment or

(magisterial district/class of county): support to maintain current configuration.

Proposed realignment will help correct the inequity.

Magisterial District Judge & Office Information:

D. Glenn Bates Birthdate: 6-26-56

Airport Administration Building 417 East Roy Furman Mandatory Retirement: 2026

Highway, Suite 203

Waynesburg, PA 15370 Term Expires: 12-31-17

Existing Geography:

FRANKLIN TWP VTD EAST; FRANKLIN TWP VTD NORTH; FRANKLIN TWP VTD SOUTH; FRANKLIN TWP VTD WEST; JEFFERSON TWP VTD 01; JEFFERSON TWP VTD 02; JEFFERSON TWP VTD 03; JEFFERSON TWP VTD 04; MORGAN TWP VTD CHART/T.GRDN; MORGAN TWP VTD LIPPENCOTT; MORGAN TWP VTD MATHER; PERRY TWP Voting District; WASHINGTON TWP Voting District; WHITELEY TWP Voting District

Proposed Geography:

CLARKSVILLE Voting District; FRANKLIN TWP VTD EAST; FRANKLIN TWP VTD NORTH; FRANKLIN TWP VTD SOUTH; FRANKLIN TWP VTD WEST; JEFFERSON TWP VTD 01; JEFFERSON TWP VTD 02; JEFFERSON TWP VTD 03; JEFFERSON TWP VTD 04; JEFFERSON Voting District; MORGAN TWP VTD CHART/T.GRDN; MORGAN TWP VTD LIPPENCOTT; MORGAN TWP VTD MATHER

Office within district: Yes

Residence within district: Yes

Police Departments: PSP

Major Highways: US 19, PA 18, PA 21, PA 88, I-79

Existing and Proposed Magisterial Districts

Magisterial District #: 13-3-03

Proposed Action: Reestablish

Average Annual Caseload: 2,739 Average Annual Workload: 25,443

% Difference in Caseload -5.00 % Difference in Workload 2.00 (magisterial district/judicial district):

(magisterial district/judicial district).

% Difference in Caseload -15.00 Workload outside of a +/- 15% range requires realignment or

(magisterial district/class of county): support to maintain current configuration.

Magisterial District Judge & Office Information:

Leroy W. Watson Birthdate: 10-2-65

100-D Park Avenue Mandatory Retirement: 2035

Carmichaels, PA 15320 Term Expires: 1-5-14

Existing Geography:

Voting District

CARMICHAELS Voting District; CUMBERLAND TWP VTD NEMACOLIN; CUMBERLAND TWP VTD 01; CUMBERLAND TWP VTD 02; CUMBERLAND TWP VTD 04; DUNKARD TWP VTD BOBTOWN; DUNKARD TWP VTD DILLINER; DUNKARD TWP VTD LOWER; DUNKARD TWP VTD UPPER; GREENE TWP Voting District; GREENSBORO Voting District; MONONGAHELA TWP VTD 01; MONONGAHELA TWP VTD 02; RICES LANDING

Proposed Geography:

CARMICHAELS Voting District; CUMBERLAND TWP VTD NEMACOLIN; CUMBERLAND TWP VTD 01; CUMBERLAND TWP VTD 02; CUMBERLAND TWP VTD 04; DUNKARD TWP VTD BOBTOWN; DUNKARD TWP VTD DILLINER; DUNKARD TWP VTD LOWER; DUNKARD TWP VTD UPPER; GREENE TWP Voting District; GREENSBORO Voting District; MONONGAHELA TWP VTD 01; MONONGAHELA TWP VTD 02; RICES LANDING Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Cumberland Township PD, Carmichaels Borough PD, PSP

Major Highways: PA 88, PA 21

Magisterial District Reestablishment 2012

Magisterial District Caseload/Workload Analysis

Judicial District and Class of County Comparison Statistics

Greene / 13

Judicial District Average Caseload					
2011 Class	2011 Filings	2012 Class	2012 Filings		
6	2,838	6	2,838		

2011 Class of County Caseload Averages								
2011 Class	CR	PC	TR	NT	CV	LT	MD	Total
6	251	126	2,087	485	231	43	41	3,263

2012 Class of County Caseload Averages									
2012 Class	CR	PC	TR	NT	CV	LT	MD	Total	
6	244	155	2,019	477	228	42	39	3,204	

Notes on Analysis:

CASELOAD: The statistics provided are used to compare the average annual caseload of each magisterial district to the class of county average as one measure to assess whether any changes should be proposed. Reported values are provided by the judicial district; the comparison values are provided by the MDJS.

WORKLOAD: Where the average annual workload of a magisterial district is greater/less than 15% of the judicial district's workload average, the judicial district should realign - OR - explain why this difference does not impact workload equity within the judicial district. A value that is green indicates it is within range; red requires justification if realignment or elimination are not proposed.

Judicial District Caseload Averages					
Greene	2011	2012			
Class	6	6			
CR	247	247			
NT	399	399			
PC	293	293			
TR	1,665	1,665			
CV	147	147			
LT	52	52			
MD	35	35			
AVG	2,838	2,838			

Judicial District Workload Averages					
Greene	2011	2012			
Class	6	6			
CR	9,078	9,078			
NT	4,285	4,285			
PC	3,150	3,150			
TR	3,796	3,796			
CV	1,656	1,656			
LT	751	751			
MD	1,151	1,140			
-15 % Workload	20,286	20,277			
Average Workload	23,866	23,856			
+ 15% Workload	27,446	27,434			

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Magisterial District Caseload/Workload Analysis

13-3-01 Realign

CASELOAD

Average Total Annual Caseload:

Magisterial District Average: Judicial District Average:

Magisterial District Average: Class of County Average:

WORKLOAD

Average Total Annual Workload:

Magisterial District Average: Judicial District Average:

Reported	AOPC		
1,775	2011	2012	
0.	-37.45%	-37.45%	
-45	-45.61%	-44.60%	
Reported	AC	PC	
17,133	2011	2012	
-28	-28.21%	-28.18%	

13-3-02

Realign

CASELOAD

Average Total Annual Caseload:

Magisterial District Average: Judicial District Average:

Magisterial District Average: Class of County Average:

WORKLOAD

Average Total Annual Workload:

Magisterial District Average: Judicial District Average:

Reported	AOPC		
4,004	2011	2012	
41	41.09%	41.09%	
24	22.69%	24.96%	
Reported	AC	PC	
29,294	2011	2012	
22	22.74%	22.80%	

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Magisterial District Caseload/Workload Analysis

13-3-03

Reestablish

CASELOAD

Average Total Annual Caseload:

Magisterial District Average: Judicial District Average:

Magisterial District Average: Class of County Average:

WORKLOAD

Average Total Annual Workload:

Magisterial District Average: Judicial District Average:

Reported	AOPC		
2,739	2011	2012	
-5	-3.48%	-3.48%	
	-16.07%	-14.52%	
Reported	AC	PC	
25,443	2011	2012	
2	6.61%	6.65%	

9/24/2012 Page 3



COURT OF COMMON PLEAS GREENE COUNTY THIRTEENTH JUDICIAL DISTRICT

Waynesburg, Pennsylvania 15370

WILLIAM R. NALITZ PRESIDENT JUDGE (724) 852-5312

March 29, 2012

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

In Re: Greene County Magisterial Districts

Dear Mr. Mittleman:

Enclosed are the Judicial District Summary worksheet and the Magisterial Reestablishment worksheets for every district in Greene County.

Very truly yours,

WRN:es

William R. Nalitz

cc: Audrey Szoyka, Court Adminstrator e-mail cc: Amy Kehner (amy.kehner@pacourts.us)



JUDICIAL DISTRICT SUMMARY WORKSHEET

PLEASE SUBMIT ONE COPY OF THE JUDICIAL DISTRICT SUMMARY WORKSHEET.

I.	JUDICIAL DISTRICT NUMBER:	13					
	A. What is the class of county?	6					
	B. What is the percentage difference in the average annual caseload between this judicial district and the applicable class of county?	-12%					
II.	PROPOSED ACTIONS:						
B. Does this judicial district average caseload that is ten average caseload for the a county? 1. If the answer to II. B. eliminations proposed?	A. List existing magisterial districts: 13-3-01, 13-3-02, 13-3-03						
	B. Does this judicial district have an annual average caseload that is ten percent above the average caseload for the applicable class of county?						
	 If the answer to II. B. above is NO, are eliminations proposed? a) List magisterial districts proposed for eliminations 	NO ation.					
	b) If no eliminations are proposed based on II. I for this decision?	B. above, what are the factors					
	2. If the answer to II. B. above is YES, are eliminations proposed?	Choose Yes or No					
	a) List magisterial districts proposed for elimina	ation.					
	C. Are any magisterial districts proposed for reestablishment?	YES					
	 List magisterial districts proposed for reestabli 13-3-03 	shment.					
	D. Are any magisterial districts proposed for realignment?	YES					
	 List magisterial districts proposed for realignm 13-3-01 and 13-3-02 	ent.					



III.	NIGHT AND CENTRAL COURT OPERATIONS				
	A. Is there a night court operating within the judicial district?	NO			
	B. Is there a central court operating within the judicial district?	NO			
	C. Note comments regarding how night, central or ot impact operations within the judicial district. N/A	her similar court programs			
IV.	PUBLIC COMMENT				
	A. A request for public comment was posted:B. Comments were received:C. Comments are attached:	YES YES YES			
V.	ADDITIONAL REMARKS CONCERNING PROPOSAL:				
	We purpose that all three magisterial districts remain, districts will be within 10% of the county average and 1 average. The population density of Greene County is leeliminated, the poor road net, the distances to be travetransportation would severely limit access to the court magisterial district judge would have a workload of 469 magisterial district in a 6 th class county.	L5% of the 6 th class county ow. If a district were to be eled, and the lack of public s. With only two districts, each			
	I. DATE SUBMITTED TO AOPC:				
VI.	PRESIDENT JUDGE NAME: William R. Nalitz				

TO:

Thirteenth Judicial District

Attention: Court Administrator Audrey Szoyka

FROM: Harry J. Cancelmi, Esquire, 93 E High Street, B2, Waynesburg, PA 15370

RE:

Magisterial District Judge Realignment

DATE: March 26, 2012

+auplanulla Thank you for the opportunity to comment on the Magisterial District Judge alignment. When the three districts were established 35 years ago +/-, a committee of attorneys and the Honorable Glenn R. Toothman, Jr. convened to determine how the districts should be aligned. One goal was to keep the newly built and opened Interstate 79 in the same district for the convenience of the troopers on highway patrol and consistency in the operation affecting this new and major traffic way, as well as balance the regions of the county as to their population. This is what created the artificial donut shape of District 13-3-02 and the hole of Waynesburg Borough cut out of Franklin Township. The reason for keeping 79 in one district does not seem to be as important today as in the past as noted in the proposed realignment plan.

Several months ago I proposed to the Criminal Justice Advisory Board that one item for the agenda might be to look at the magisterial districts with the idea of central magisterial district court for all proceedings. In an age of budget consciousness, technology, and in a small county of less than 38,686 people when one subtracts the 2,000 residents of the SCI Greene located in Franklin Township, a new, modern magisterial district court equipped with safety precautions, seating for litigants, witnesses and the public, secure access for prisoners and inmates brought to the office, the presence of recording system that could be used to record preliminary hearings that later may be utilized by the Commonwealth's district attorneys and defendant's counsel, digital recording and communication for remote access when necessary and appropriate. There is no reason why one central court, one central staff, and one convenient location serving all Greene County residents whatever the number of magisterial district judges and however elected should not serve the whole county.

As to the current proposals of realignment of MDJ 13-3-02 and 13-03-01, with the information posted on the County website, it is difficult to suggest alternatives with any precision. There is nothing posted which indicates the number of citations and complaints for traffic or non-traffic cases, misdemeanor and felony cases, marriages, payment determinations, or civil proceedings arising from the townships, and there is no posting of the analysis of the population.

So a better plan is to redistrict with the following goals not attained by the current proposal:

- 1. Establish one central magisterial district court for criminal proceedings, if not all proceedings.
- 2. Eliminate the artificial donut in the middle of Franklin Township and combine Franklin and Waynesburg Borough and adjust the map accordingly.
- 3. Improve the facilities for safety, size, waiting area, accessibility. 1

cc:

The Honorable William R. Nalitz, President Judge The Honorable Farley Toothman, Judge Magisterial District Judge Lou Dayich Magisterial District Judge D. Glenn Bates

Magisterial District Judge Lee Watson

¹ This is especially appropriate for MD 13-3-03, in part for 13-03-02 and 13-03-01, where in a narrow hall crowded with witnesses, offenders and victims, and other civil litigants by necessity are often jumbled together whether walking the hallway, using the restroom, or crowding into an attorney "conference" closet. Add to the mixture at 13-3-02 handcuffed offenders arriving for arraignment at the same time tourists, visitors, shoppers, or citizens visiting the airport stop for lunch entering the same door as the police escorting shackled inmates.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

1.	MAGISTERIAL DISTRICT COURT NUMBER (####):	13-3-01				
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD					
	A. Average Total Caseload:	1,775				
	B. Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-37%				
	C. Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-45%				
111.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD					
	A. Average Total Workload:	17,133				
	B. Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-28%				
	C. Does this magisterial district have an average total workload that is fifteen percent greater than or less than any other magisterial district within your judicial district:	YES				
	D. If YES, how does this difference impact workload edistrict? The workload has been inequitable. The proposed substantially correct the inequality.					
IV.	PROPOSED CHANGE:					
	A. Please indicate any proposed change in this magisterial district. Check all that apply.	Reestablish Realign Eliminate				
	B. What is the proposed effective date (m/d/yyyy):	7-1-12				
V.	MAGISTERIAL DISTRICT INFORMATION:					
	A. Magisterial District Judge Name: Louis M. Dayich					

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

	B. Term Expiration (m/d/yyyy):	1/2/2018
	C. Mandatory Retirement Date (m/d/yyyy):	12/31/2032
	D. Office Location (Street, City and Zip code):	144 West High Street Waynesburg 15370
	E. Is the office within the boundaries of the magisterial district:	YES
	F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	YES
	G. List any police departments located within this n Waynesburg Boro. P.D., PSP	nagisterial district:
	H. List any major highways within this magisterial d PA 18, PA 21, US 19	istrict:
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Townships of: Richhill, Morris, Aleppo, Springhill, Freeport, Gray, Center, Jackson, Gilmore, Wayne, and Waynesburg Borough.	
VII.	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: Townships Of: Richhill, Morris, Aleppo, Springhill, Freeport, Gray, Center, Jackson, Gilmore, Wayne, Washington, Whiteley, Perry, And Waynesburg Borough.	
VIII.	ADDITIONAL COMMENTS:	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

1.	MAGISTERIAL DISTRICT COURT NUMBER (####):	13-3-02	
11.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
	A. Average Total Caseload:	4,004	
	B. Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	41%	
	C. Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	24%	
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
	A. Average Total Workload:	29,294	
	B. Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	22%	
	C. Does this magisterial district have an average total workload that is fifteen percent greater than or less than any other magisterial district within your judicial district:	YES	
	 D. If YES, how does this difference impact workload equity within your judicial district? The workload has been inequitable. The proposed realignment will substantially correct the inequality. 		
IV.	PROPOSED CHANGE:		
	A. Please indicate any proposed change in this magisterial district. Check all that apply.	☐ Reestablish☐ Realign☐ Eliminate	
	B. What is the proposed effective date (m/d/yyyy):	7/1/2012	
٧.	MAGISTERIAL DISTRICT INFORMATION:		
	A. Magisterial District Judge Name: D. Glenn Bates		

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

	B. Term Expiration $(m/d/yyyy)$:	1/2/2018
	C. Mandatory Retirement Date (m/d/yyyy):	12/31/2026
	D. Office Location (Street, City and Zip code):	417 East Roy Furman Hwy., Ste #203 Waynesburg 15370
	E. Is the office within the boundaries of the magisterial district:	YES
	F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	YES
	G. List any police departments located within this m PSP	agisterial district:
	H. List any major highways within this magisterial dis US 19, PA 18, PA 21, PA 88, I-79	strict:
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Townships Of: Washington, Franklin, Whitely, Perry, Morgan, Jefferson, Boroughs Of Clarksville And Jefferson	
	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: Townships Of: Franklin, Morgan, Jefferson, Boroughs Of Clarksville And Jefferson	
VII.	Townships Of: Franklin, Morgan, Jefferson, Borou	ighs Of Clarksville And



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

PLEASE SUBMIT ONE COPY OF THIS WORKSHEET FOR EACH MAGISTERIAL DISTRICT.

1.	MAGISTERIAL DISTRICT COURT NUMBER (####):	13-3-03		
11.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD			
	A. Average Total Caseload:	2,739		
	B. Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-5%		
	C. Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-15%		
111.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD			
	A. Average Total Workload:	25,443		
	B. Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	2%		
	C. Does this magisterial district have an average total workload that is fifteen percent greater than or less than any other magisterial district within your judicial district:	YES		
	D. If YES, how does this difference impact workload edistrict? This district has very close to average workload for			
IV.	PROPOSED CHANGE:			
	A. Please indicate any proposed change in this magisterial district. Check all that apply.	Reestablish Realign Eliminate		
	B. What is the proposed effective date (m/d/yyyy):	3/1/2012		
v.	MAGISTERIAL DISTRICT INFORMATION:			
	A. Magisterial District Judge Name: Leroy W. Watson			
	B. Term Expiration (m/d/yyyy):	1/6/2020		

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

	C. Mandatory Retirement Date (m/d/yyyy):	12/31/2035
	D. Office Location (Street, City and Zip code):	100 D Park Ave. Carmichaels 15320
	E. Is the office within the boundaries of the magisterial district:	YES
	F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	VES
	G. List any police departments located within this magisterial district: Cumberland Township P.D., Carmichaels Borough P.D., PSP	
	H. List any major highways within this magisterial of PA 88, PA 21	district:
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Boroughs Of: Carmichaels, Greenesboro, And Rices Landing; Townships Of Cumberland, Dunkard, Greene, And Monongahela.	
VII.	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: No Change	
VIII.	ADDITIONAL COMMENTS:	