

Magisterial District Reestablishment 2012

Judicial District Summary Sheet

County Name: **McKean**

Judicial District #: **48**

Caseload and Magisterial District Elimination Analysis

The difference between the average annual caseload of Judicial District # 48 and its class of county: **-37 %**

1. Caseload misleading - relied on workload when making a decision.
2. 5% decrease in population supports possible elimination in districts.
3. Marcellus Shale and gas drilling quite possible to impact county - McKean is second to Bradford County in # of well permits.
4. Travel time and impediments to public access - McKean is large, mountainous; ltd. Public transportation.
5. Increased student population at U of Pittsburgh - Bradford.
6. Increased jurisdictional amount for minor courts.
7. Earliest potential elimination would be in 2018 - all 4 MDJs took oath in January 2012.

Summary of Proposed Actions

48-1-01 Realign

48-3-02 Realign

48-3-03 Realign

48-3-04 Realign

Night/Central/Alternate Court Operations

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

Central Court: **Yes** Night Court: **No**

Public Comment

Proposal Posted for Public Comment: **Yes** Comments Received: **No**

General Comments *Realignment is proposed. City of Bradford will be split to make workload more equitable. Historically, the city has been kept together - however, the caseload/workload of this one district skews the workload equity among the remaining districts.*

Magisterial District Reestablishment 2012

County Name: McKean

Judicial District #: 48

Existing and Proposed Magisterial Districts

Magisterial District #: 48-1-01

Proposed Action: Realign

Average Annual Caseload:	2,510	Average Annual Workload:	29,956
% Difference in Caseload (magisterial district/judicial district):	23.00	% Difference in Workload (magisterial district/judicial district):	51.00
% Difference in Caseload (magisterial district/class of county):	-23.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Inequity in the workload exists, but will be realigned to bring more balance.

Magisterial District Judge & Office Information:

Dominic A. Cercone , Jr.

22 Davis Street

Bradford, PA 16701

Birthdate: 8-26-57

Mandatory Retirement: 2027

Term Expires: 12-31-17

Existing Geography:

BRADFORD WD 01; BRADFORD WD 02; BRADFORD WD 03 DIST 01; BRADFORD WD 03 DIST 02; BRADFORD WD 04; BRADFORD WD 05; BRADFORD WD 06 DIST 01; BRADFORD WD 06 DIST 02

Proposed Geography:

BRADFORD WD 01; BRADFORD WD 02; BRADFORD WD 03 DIST 01; BRADFORD WD 03 DIST 02; BRADFORD WD 04; BRADFORD WD 05; BRADFORD WD 06 DIST 02

Office within district: Yes

Residence within district: Yes

Police Departments: Bradford City

Major Highways: US Rte 219

Existing and Proposed Magisterial Districts

Magisterial District #: 48-3-02

Proposed Action: Realign

Average Annual Caseload:	2,199	Average Annual Workload:	21,437
% Difference in Caseload (magisterial district/judicial district):	8.00	% Difference in Workload (magisterial district/judicial district):	8.00
% Difference in Caseload (magisterial district/class of county):	-33.00		

Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.

Magisterial District Judge & Office Information:

William K. Todd

625 East Water Street

Smethport, PA 16749

Birthdate: 1-14-60

Mandatory Retirement: 2030

Term Expires: 12-31-17

Existing Geography:

ANNIN TWP Voting District; CERES TWP Voting District; ELDRED Voting District; ELDRED TWP Voting District; KEATING TWP DIST 01; KEATING TWP DIST 02; KEATING TWP DIST 03; LAFAYETTE TWP Voting District; LIBERTY TWP Voting District; NORWICH TWP Voting District; PORT ALLEGANY DIST 01; PORT ALLEGANY DIST 02; SERGEANT TWP Voting District; SMETHPORT Voting District

Proposed Geography:

ANNIN TWP Voting District; CERES TWP Voting District; ELDRED Voting District; ELDRED TWP Voting District; KEATING TWP DIST 01; KEATING TWP DIST 02; KEATING TWP DIST 03; LIBERTY TWP Voting District; NORWICH TWP Voting District; PORT ALLEGANY DIST 01; PORT ALLEGANY DIST 02; SERGEANT TWP Voting District; SMETHPORT Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Otto-Eldred Regional, Smethport Borough, Port Allegany Borough

Major Highways: US Rte 6

Existing and Proposed Magisterial Districts

Magisterial District #: 48-3-03

Proposed Action: Realign

Average Annual Caseload:	1,718	Average Annual Workload:	15,573
% Difference in Caseload (magisterial district/judicial district):	-16.00	% Difference in Workload (magisterial district/judicial district):	-22.00
% Difference in Caseload (magisterial district/class of county):	-47.00		

Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.

Magisterial District Judge & Office Information:

Richard W. Luther , Jr.
1185 East Main Street
Bradford, PA 16701

Birthdate: 9-6-62
Mandatory Retirement: 2032
Term Expires: 12-31-17

Existing Geography:

BRADFORD TWP DIST 01; BRADFORD TWP DIST 02;
BRADFORD TWP DIST 03; CORYDON TWP Voting
District; FOSTER TWP DIST 01; FOSTER TWP DIST 02;
FOSTER TWP DIST 03; FOSTER TWP DIST 04; LEWIS RUN
Voting District; OTTO TWP DIST 01; OTTO TWP DIST 02

Proposed Geography:

BRADFORD WD 06 DIST 01; BRADFORD TWP DIST 01;
BRADFORD TWP DIST 02; BRADFORD TWP DIST 03;
CORYDON TWP Voting District; FOSTER TWP DIST 01;
FOSTER TWP DIST 02; FOSTER TWP DIST 03; FOSTER
TWP DIST 04; LEWIS RUN Voting District; OTTO TWP
DIST 01; OTTO TWP DIST 02

Office within district: Yes

Residence within district: Yes

Police Departments: Bradford Twp.; Foster Twp.; Otto Eldred Regional

Major Highways: US Rte 219

Existing and Proposed Magisterial Districts

Magisterial District #: 48-3-04

Proposed Action: Realign

Average Annual Caseload:	1,756	Average Annual Workload:	12,635
% Difference in Caseload (magisterial district/judicial district):	-14.00	% Difference in Workload (magisterial district/judicial district):	-37.00
% Difference in Caseload (magisterial district/class of county):	-46.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Magisterial District Judge & Office Information:

David R. Engman
116 Fraley Street
Kane, PA 16735

Birthdate: 8-6-70
Mandatory Retirement: 2040
Term Expires: 12-31-17

Existing Geography:

HAMILTON TWP Voting District; HAMLIN TWP DIST 02;
HAMLIN TWP DIST 01; KANE WD 01; KANE WD 02;
KANE WD 03; KANE WD 04; MT. JEWETT Voting District;
WETMORE TWP Voting District

Proposed Geography:

HAMILTON TWP Voting District; HAMLIN TWP DIST 02;
HAMLIN TWP DIST 01; KANE WD 01; KANE WD 02;
KANE WD 03; KANE WD 04; LAFAYETTE TWP Voting
District; MT. JEWETT Voting District; WETMORE TWP
Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Kane Borourg; PSP; Mt. Jewett Borough

Major Highways: US Rte 6; US Rte 219

Magisterial District Reestablishment 2012

Magisterial District Caseload/Workload Analysis

Judicial District and Class of County Comparison Statistics

McKean / 48

Judicial District Average Caseload			
2011 Class	2011 Filings	2012 Class	2012 Filings
6	2,045	6	2,045

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		
McKean	2011	2012
Class	6	6
CR	217	217
NT	410	410
PC	140	140
TR	1,040	1,040
CV	168	168
LT	29	29
MD	41	41
AVG	2,045	2,045

Judicial District Workload Averages		
McKean	2011	2012
Class	6	6
CR	7,980	7,980
NT	4,408	4,408
PC	1,500	1,500
TR	2,372	2,372
CV	1,897	1,897
LT	413	413
MD	1,330	1,335
-15 % Workload	16,915	16,920
Average Workload	19,900	19,906
+ 15% Workload	22,885	22,892

Magisterial District Caseload/Workload Analysis

48-1-01 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
2,510		

Magisterial District Average: Judicial District Average:

23	22.72%	22.72%
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Magisterial District Average: Class of County Average:

-23	-23.09%	-21.67%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
29,956		

Magisterial District Average: Judicial District Average:

51	50.53%	50.49%
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48-3-02 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
2,199		

Magisterial District Average: Judicial District Average:

8	7.51%	7.51%
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Magisterial District Average: Class of County Average:

-33	-32.62%	-31.37%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
21,437		

Magisterial District Average: Judicial District Average:

8	7.72%	7.69%
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Magisterial District Caseload/Workload Analysis

48-3-03 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
1,718	2011	2012

Magisterial District Average: Judicial District Average:

-16	-16.00%	-16.00%
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Magisterial District Average: Class of County Average:

-47	-47.36%	-46.38%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
15,573	2011	2012

Magisterial District Average: Judicial District Average:

-22	-21.75%	-21.77%
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48-3-04 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
1,756	2011	2012

Magisterial District Average: Judicial District Average:

-14	-14.15%	-14.15%
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Magisterial District Average: Class of County Average:

-46	-46.19%	-45.20%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
12,635	2011	2012

Magisterial District Average: Judicial District Average:

-37	-36.51%	-36.53%
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JUDICIAL DISTRICT SUMMARY WORKSHEET

PLEASE SUBMIT ONE COPY OF THE JUDICIAL DISTRICT SUMMARY WORKSHEET.

To enter data, press TAB to move between fields.

I.	JUDICIAL DISTRICT NUMBER:	48
A.	Wh What is the class of county?	6
B.	Wh What is the percentage difference in the average annual caseload between this judicial district and the applicable class of county?	-37%
II.	PROPOSED ACTIONS:	
A.	List existing magisterial districts: 48-1-01, 48-3-02, 48-3-03, 48-3-04	
B.	Does this judicial district have an annual average caseload that is ten percent above the average caseload for the applicable class of county?	NO
	1. If the answer to II. B. above is <i>NO</i> , are eliminations proposed?	NO
	a) List magisterial districts proposed for elimination.	
	b) If no eliminations are proposed based on II. B. above, what are the factors for this decision? See attached discussion.	
	2. If the answer to II. B. above is <i>YES</i> , are eliminations proposed?	Choose Yes or No
	a) List magisterial districts proposed for elimination.	
C.	Are any magisterial districts proposed for reestablishment?	YES
	1. List magisterial districts proposed for reestablishment. 48-1-01, 48-3-02, 48-3-03, 48-3-04	
D.	Are any magisterial districts proposed for realignment?	YES
	1. List magisterial districts proposed for realignment. 48-1-01, 48-3-02, 48-3-03, 48-3-04	

AOPC

JUDICIAL DISTRICT SUMMARY WORKSHEET

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?	YES
C. Note comments regarding how night, central or other similar court programs impact operations within the judicial district.	
IV. PUBLIC COMMENT	
A. A request for public comment was posted:	YES
B. Comments were received:	NO
C. Comments are attached:	Choose Yes or No
V. ADDITIONAL REMARKS CONCERNING PROPOSAL:	
Proposal was posted for comment March 12, 2012. Comment period has not ended yet. To date there have been no comments submitted. If any comments are received they will be submitted.	
VI. DATE SUBMITTED TO AOPC:	4/2/2012
VII. PRESIDENT JUDGE NAME:	John H. Pavlock
_____ Signature	

DISCUSSION AND RECOMMENDATIONS FOR
McKEAN COUNTY
MAGISTERIAL DISTRICT COURTS

A review of existing magisterial district boundaries is mandated following every federal decennial census. As part of this process all President Judges have also been asked by the Administrative Office of the Pennsylvania Courts (AOPC) to consider if it is appropriate to reduce the number of magisterial districts in our county. After a thorough review of the relevant factors discussed below, we have concluded that realignment of the existing magisterial districts in McKean County is appropriate; however, elimination of a district is not appropriate at this time.

Discussion Regarding Potential Elimination of District

1.) Average Caseload:

The AOPC has issued guidelines to consider when addressing whether a magisterial district can be eliminated. A significant factor that we are required to consider is average caseload and average workload. To determine average caseload for each county the total number of cases handled in each magisterial district is added together and then divided by the number of districts in that county. Because certain types of cases require more time and resources than others, an average workload statistic is also calculated for each magisterial district and 6th class county. The average workload is calculated by multiplying each case by a number that is pre-set for that type of case. For example, criminal cases are assigned a number that is greater than a parking ticket citation. A graph containing average caseload and workload for McKean County and the other 6th class counties in the Commonwealth is attached hereto as Appendix A. This graph also contains a variance column that sets forth the deviation in each county from the McKean County average.

When McKean County's average caseload is initially compared to the 23 other 6th class counties in Pennsylvania, it initially suggests that a district can, and perhaps should, be eliminated (See Appendix A). Specifically, the average caseload statistics demonstrate that only two other counties, Huntingdon and Warren/Forest, have a lower average caseload than McKean County. Further, McKean County has an average caseload that is 37% lower than the average caseload for all 6th class counties. However, and again, the average caseload counts all types of cases equally. For example, a murder case is counted the same as a speeding or parking ticket.¹ Therefore, it is more revealing to consider the average workload of 6th class counties which takes into consideration the number and types of cases that are addressed. Five (5) counties have an average

¹ 6th class Counties such as Jefferson, Clarion and Clearfield have an Interstate Highway System running through them. McKean County does not. Therefore, Jefferson, Clarion and Clearfield have a much higher rate of traffic offenses than McKean County.

workload below McKean County (Huntingdon, Pike, Susquehanna, Tioga and Wayne); and, Four (4) others only vary upward from McKean County by 11% or less. Therefore, when average workload is considered, McKean County is similar to or greater than nine (9) of the 23 other 6th class counties. Nevertheless, since McKean County is still slightly below the average workload for more than half of the other 6th class counties, and we have seen a 5% reduction in population, the possibility of eliminating a district was still strongly considered. However, when the other factors set forth at numbers 3, 4, 5 and 6 below were taken into account; we came to the conclusion that reduction from four districts to three is not appropriate at this time.

2.) Population Decrease:

McKean County's population decreased from 45,936 in 2000 to 43,450 in 2010. (See Appendix B) This constitutes a 5% decrease (.054097 %). Although not a substantial decrease, this factor also supports a reduction in total districts.

3.) Potential Marcellus Shale and Standard Gas Drilling Increase and Impact

Although there can be no certainties regarding the future, McKean County is on the potential, and many would say, likely, Marcellus Shale and Standard Gas drilling Boom. If the effect of a gas boom in other counties is used as a template for McKean County's future, we could face significant burdens and increased demands on the magisterial court system. In a post-gazette.com article dated August 15, 2011, reporter Zack Needles reported that in Bradford County, a County that has already experienced a natural gas boom, drilling activity increased the population and, in turn, increased criminal and court activity. He asserts in his article: "The frenzy of Marcellus Shale natural gas drilling, which has boosted the economies of some of Pennsylvania's smallest and most rural counties in recent years, has also led to rapid population swells and – by extension – more crime." He goes on to discuss how the local State Police barracks added five more troopers; and, "the county and local police agencies are reviewing what can be done to deal with the numbers, and the courts have had to allocate more time to criminal cases." He discusses how DUI cases in Bradford County have increased, and District Judges are facing more complicated and lengthy summary cases and trials due to the boom.

Although the current drop in natural gas prices has recently slowed drilling activity, it is asserted in the Governor's Marcellus Shale Advisory Commission Report issued July 22, 2011, the anticipated substantial increase in production in the next 10 to 20 years (see page 14 of the report); and, the number of issued well permits in McKean County has increased in 2010 to present. According to the DEP, McKean County was only second to Bradford County for all permits issued for gas wells for the time period January 2011 to November 2011 (See DEP Map update 12/05/11). Further, according to a recent geology.com report, there were 96 Marcellus Shale well permits effective in McKean County as of December 2011.

Therefore, it would not be productive to decrease our judicial resources at the same time that the County may be, and appears highly likely to be, entering a period of dramatic development and potential economic growth.

4.) Travel Time and Related Impediments to Public Access.

Although it apparently is not a factor that has been recommended to be a significant consideration regarding this reestablishment plan, the geography and immense area of McKean County cannot be ignored. McKean County is a large, mountainous county containing 997 square miles. Although this year was an anomaly, it typically snows a lot here. Although there is some public transportation, it is very limited. Therefore, McKean County residents face some difficult travel issues. Currently the four MDJ offices are spread throughout the County in a manner that limits travel concerns for our citizens. For example, all of the offices are located in population bases – 1) Bradford City; 2) Foster Township (which is a populated area near Bradford City); 3) Smethport (which is the County seat); and, 4) Kane (which is a populated area in the southwest portion of the County). Since Bradford City has the highest caseload and is the most populated district in the County, if one of the 4 districts were merged into the other 3, it is unlikely that the boundaries of the Bradford City district would be altered. Therefore, this would mean that there would be two offices covering the remaining area of McKean County, which, since Bradford City is small in physical size, would be most of McKean County's 997 square miles. No matter how they were located, this would mean that a significant number of our citizens would have to travel a substantial distance to get to their MDJ district offices. If the current district offices were utilized², this would mean citizens from our population bases, such as Kane or Foster Township, would routinely have to travel 30+ miles to proceedings. This would also place substantial burden on our Boroughs and Townships because police officers would have to, at their municipalities' expense, travel to and arrange for witnesses to travel to, distant locations for criminal hearings. Taking all of this into consideration, it is not difficult to conclude that, if McKean County were to reduce the number of MDJ districts from 4 to 3, it would create a substantial impediment to public access to their court system.

5.) Increase in Student Population at University of Pittsburgh at Bradford

The University of Pittsburgh at Bradford has seen substantial growth since the last census. Two dormitory complexes have been constructed over that time period and other significant building projects undertaken. The student population has dramatically increased and is now at 1,629. Other significant improvements and expansions are planned in the next ten (10) years. Although they may not be permanent McKean County residents, the increase in the student population does place increased demands on the district magistrate system; and, therefore, this is another factor that has been considered.

² McKean County has binding leases for the district office locations, including a ten year lease for the Foster Township office which was just recently completely renovated. Further, it would be difficult to move an office in between our population bases because that would literally mean putting them in the middle of the forest and on a mountainside or mountain top.

6.) Increase In Jurisdictional Amount for Magisterial Court:

The current statewide jurisdictional limit for Magisterial Courts is \$12,000.00 pursuant to Title 42, Section 1515(a)(3). The increase in the jurisdictional limit was amended in 2010 and took effect January 24, 2011. Therefore, as of the date of this writing, the jurisdictional amount was increased a little over 12 months ago, and it is likely that the number of civil cases over which our Magisterial Courts have jurisdiction will increase in the near future.

Conclusion:

McKean County's slightly below average workload for magisterial districts as compared to other 6th class counties and a minor decline in our County's population, provide some support for the reduction and absorption of one magisterial district. However, the likelihood of increased population and caseload from Marcellus and standard natural gas development, the geography and land area of the County, and the potential increase in caseload due to changes in the jurisdictional limit for magisterial court civil actions, outweigh the factors for a reduction. If, after the next federal decennial census, McKean County's population further declines and the predictions regarding natural gas development and increased demands do not materialize, reduction, although difficult, may be appropriate. However, at this time there are simply too many unknowns to take that step now, steps that cannot be easily reversed if demands on the system dramatically increase.³

Discussion Regarding Realignment of District Boundaries

Historically, there has been reluctance to divide the City of Bradford into more than one magisterial district. Therefore, in the past all areas outside of the City have been divided between the other magisterial districts in an attempt to create caseload and workload uniformity. However, this hasn't worked. The caseload and workload in the City have historically and currently, dramatically, exceeded that of the other three districts. (See Appendix C and Appendix D) For example, the average workload for MDJ 48-1-01 (City of Bradford) for the period from 2005 to 2010 was 29,956 with a variance of +51%; for MDJ 48-3-02 the average workload was 21,437 with a variance of 8%; for MDJ 48-3-03 it was 15,573 with a variance of -22%; and, for MDJ 48-3-04 it

³ Since all four of McKean County's District Judge's took office for their 6 year terms in January of 2012, even if we concluded that reduction was appropriate, there would not be a reduction in the number of District Judges from 4 to 3 until 2018.

was 12,635 with a variance of -37%.⁴ Therefore, there is simply no way to divide up the workload evenly without relieving some of the workload from current MDJ 48-1-01 (Bradford City) and redistributing it to the other districts.

Although we were very reluctant to divide the City of Bradford between two different magisterial districts, since we have been mandated to assure that there is less than a 15% variance between the workload of each district, we came to the reluctant conclusion that there was no way to obtain workload equity without doing so. To use an example, it is like trying to evenly divide up a pie between four people when one third of it is off limits. There simply is no way to do it without touching that one third. We also strongly considered the possibility that the workload will equal out in the future – that the case filings outside of Bradford City will increase in the future. However, since: 1) the 51% increase for Bradford City was for the time period 2005 to 2010 ; and, 2) the numbers for 2011 still show a 41% increase for the City, it appears that the workload for that district has been, and will continue to be, significantly higher than all other districts. In summary, we simply saw no other way to create equity here, which we are mandated to do, other than decrease the magisterial district covering Bradford City and transfer part of that workload to a different district.

Therefore, the following realignment plan is proposed which removes Ward 6, District 1 from the City of Bradford and combines it with District 48-3-03. Further, comparing the variance statistics, there is also a need to increase the caseload and workload for District 48-3-04; and, in turn, decrease the caseload and workload for District 48-3-02. Therefore, Lafayette Township is removed from District 48-3-02 and, since it is contiguous to 48-3-04, it is aligned with that district. (See Appendix E and Appendix F).

John H. Pavlock
President Judge
McKean County

⁴ For 2011 the variance for Bradford City was + 41% and the remaining three districts were -11%, -19% and -11%.



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

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

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER(#####):	48-1-01
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	2,510
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	23%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-23%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	29,956
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	51%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> any other magisterial district within your judicial district:	YES
D.	If YES, how does this difference impact workload equity within your judicial district? It obviously creates a substantial inequity in the workload.	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date(m/d/yyyy):	1/2/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Dominic Cercone, Jr.	
B.	Term Expiration(m/d/yyyy):	1/1/2018



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date(m/d/yyyy):	8/26/2027
D. Office Location (Street, City and Zip code):	22 Davis Street Bradford, PA 16701
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 magisterial district:	Bradford City
H. List any major highways within this magisterial district:	U.S. Route 219
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Bradford City (All Voting Districts) ✓
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Bradford City Voting Districts Ward 1, Ward 2, Ward 3 District 1, Ward 3 District 2, Ward 4, Ward 5, And Ward 6 District 2. ✓
VIII. ADDITIONAL COMMENTS:	
	It is impossible to calculate potential workload for this realignment, as caseload statistics are not broken down by voting district. However, it is anticipated that this realignment will help to relieve the workload disparity for this district.
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

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

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER(#####):	48-3-02
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	2,199
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	8%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-33%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	21,437
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	8%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> any other magisterial district within your judicial district:	NO
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date(m/d/yyyy):	1/2/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: William Todd	
B.	Term Expiration(m/d/yyyy):	1/1/2018

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date(m/d/yyyy):	1/14/2032
D. Office Location (Street, City and Zip code):	625 E. Water Street Smethport, PA 16749
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 magisterial district:	Otto-Eldred Regional, Smethport Borough, Port Allegany Borough
H. List any major highways within this magisterial district:	U.S. Route 6
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Eldred Boro, Port Allegany Boro, Smethport Boro, Annin Twp., Ceres Twp., Eldred Twp., Keating Twp., Lafayette Twp., Liberty Twp., Norwich Twp., Sergeant Twp.
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	Eldred Boro, Port Allegany Boro, Smethport Boro, Annin Twp., Ceres Twp., Eldred Twp., Keating Twp., Liberty Twp., Norwich Twp., <u>Sergeant Twp.</u>
VIII. ADDITIONAL COMMENTS:	
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

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

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER(#####):	48-3-03
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	1,718
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-16%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-47%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	15,573
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 <i>greater than or less than</i> any other magisterial district within your judicial district:	YES
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date(m/d/yyyy):	1/2/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Richard Luther, Jr.	
B.	Term Expiration(m/d/yyyy):	1/1/2018



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date(m/d/yyyy):	9/6/2032
D. Office Location (Street, City and Zip code):	1185 E. Main Street Bradford, PA 16701
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 magisterial district:	Bradford Township, Foster Township, Otto Eldred Regional
H. List any major highways within this magisterial district:	U. S. Route 219
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Lewis Run Boro, Bradford Twp., Corydon Twp., Foster Twp., Otto Twp. ✓
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	Bradford City Ward 6 District 1, Bradford Twp., Corydon Twp., Foster Twp., Otto Twp., Lewis Run Boro ✓
VIII. ADDITIONAL COMMENTS:	It is impossible to calculate potential workload for this realignment, as caseload statistics are not broken down by voting district. However, is it anticipated that this realignment will help to create a slight increase of workload for this district.
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

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

To enter data, press TAB to move between fields.

I.	MAGISTERIAL DISTRICT COURT NUMBER(#####):	48-3-04
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	1,756
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-14%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-46%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	12,635
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-37%
C.	Does this magisterial district have an average total workload that is fifteen percent <i>greater than or less than</i> any other magisterial district within your judicial district:	YES
D.	If YES, how does this difference impact workload equity within your judicial district?	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date(m/d/yyyy):	1/2/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: David Engman	
B.	Term Expiration(m/d/yyyy):	1/1/2018



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date(m/d/yyyy):	8/6/2040
D. Office Location (Street, City and Zip code):	116 Fraley Street Kane, PA 16735
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 magisterial district:	Kane Borough, Pennsylvania State Police, Mt. Jewett Borough
H. List any major highways within this magisterial district:	U.S. Route 6, U.S. Route 219
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Kane Boro, Mt. Jewett Boro, Hamilton Twp., Hamlin Twp., Wetmore Twp. ✓
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	Kane Boro, Mt. Jewett Boro, Hamilton Twp., Hamlin Twp., Lafayette Twp., Wetmore Twp.
VIII. ADDITIONAL COMMENTS:	
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	

MEMO

DATE: MARCH 12, 2012
RE: REALIGNMENT OF MAGISTERIAL DISTRICT OFFICES
OF McKEAN COUNTY
BY: JOHN H. PAVLOCK, PRESIDENT JUDGE

PUBLIC NOTIFICATION AND INVITATION FOR PUBLIC COMMENT

The President Judge of each Common Pleas Judicial District is mandated to review the existing magisterial district boundaries following every federal decennial census. Further, every President Judge in the Commonwealth has been directed to consider whether any of the magisterial districts within their respective county can be eliminated and merged into one or more of the remaining magisterial districts. Therefore, we have fully considered the caseload and workload statistics for each magisterial district in McKean County, as well as many other relevant factors, and have prepared a reestablishment recommendation for submission to the Pennsylvania Supreme Court. A copy of McKean County's reestablishment plan and an attached discussion is being provided to the Media along with this Memo. If any member of the public wishes to review the reestablishment plan and attached discussion, copies are available for review at all four of the Magisterial District Offices and at the McKean County Court Administrator's Office, 500 West Main Street, Smethport, PA 16749.

The reestablishment plan includes an analysis of the caseload and workload for the four district courts in McKean County as well as a comparison to the other 6th class counties in Pennsylvania.

This Memo is being released to notify the residents of McKean County of the proposed realignment of the four Magisterial Districts.

Anyone who wishes to submit public comment regarding the proposed realignment should submit such comment in writing addressed to the Court Administrator, 500 W. Main St., Smethport, PA 16749. Comments received shall be included with the final report submitted to the Pennsylvania Supreme Court regarding the proposed realignment. Comments will be accepted through April 11, 2012.

APPENDICES

- A. 6th Class County Average Caseload/Workload Comparison
- B. McKean County Current Magisterial District Population
- C. Average MDJ Caseload per Type of Case
- D. Average MDJ Workload per Type of Case
- E. Current District Average Caseload/Workload per Municipality
- F. Proposed District Average Caseload/Workload per Municipality

MAPS

Map 1 – Current McKean County Magisterial Districts

Map 2 – Proposed Realignment of McKean County Magisterial Districts

Map 3 – City of Bradford Proposed Realignment

MAP LEGEND

DISTRICT BOUNDARIES

48-1-01

48-3-02

48-3-03

48-3-04

★ DISTRICT MAGISTRATE OFFICE

■ DISTRICT MAGISTRATE HOME

**PROPOSED
REALIGNMENT**

JUDICIAL DISTRICT 48		
MUNICIPALITY	AVG CASELOAD*	AVG WORKLOAD*
48-1-01**		
Bradford City	1,533	24,919
Ward 1 - Bradford City		
Ward 2 - Bradford City		
Ward 3 Dist 1 - Bradford City		
Ward 3 Dist 2 - Bradford City		
Ward 4 - Bradford City		
Ward 5 - Bradford City		
Ward 6 Dist 2 - Bradford City		

48-3-02		
Annin Twp	34	423
Ceres Twp	23	310
Eldred Boro	106	1,286
Eldred Twp	88	1,043
Keating Twp	277	2,359
Liberty Twp	117	1,264
Norwich Twp	42	479
Port Allegany Boro	308	3,890
Sergeant Twp	369	944
Smethport Boro	270	3,401
TOTAL	1,634	15,399

48-3-03		
Ward 6 Dist. 1 - Bradford City	**	
Bradford Twp	432	3,778
Corydon Twp	155	477
Foster Twp	787	5,429
Otto Twp	155	1,873
Lewis Run Boro	30	446
TOTAL	1,559	12,003

48-3-04		
Hamilton Twp	34	529
Hamlin Twp	568	1,873
Kane Boro	642	5,337
Lafayette Twp	191	1,484
Mt. Jewett Boro	169	1,171
Wetmore Twp	220	1,732
TOTAL	1,824	12,126

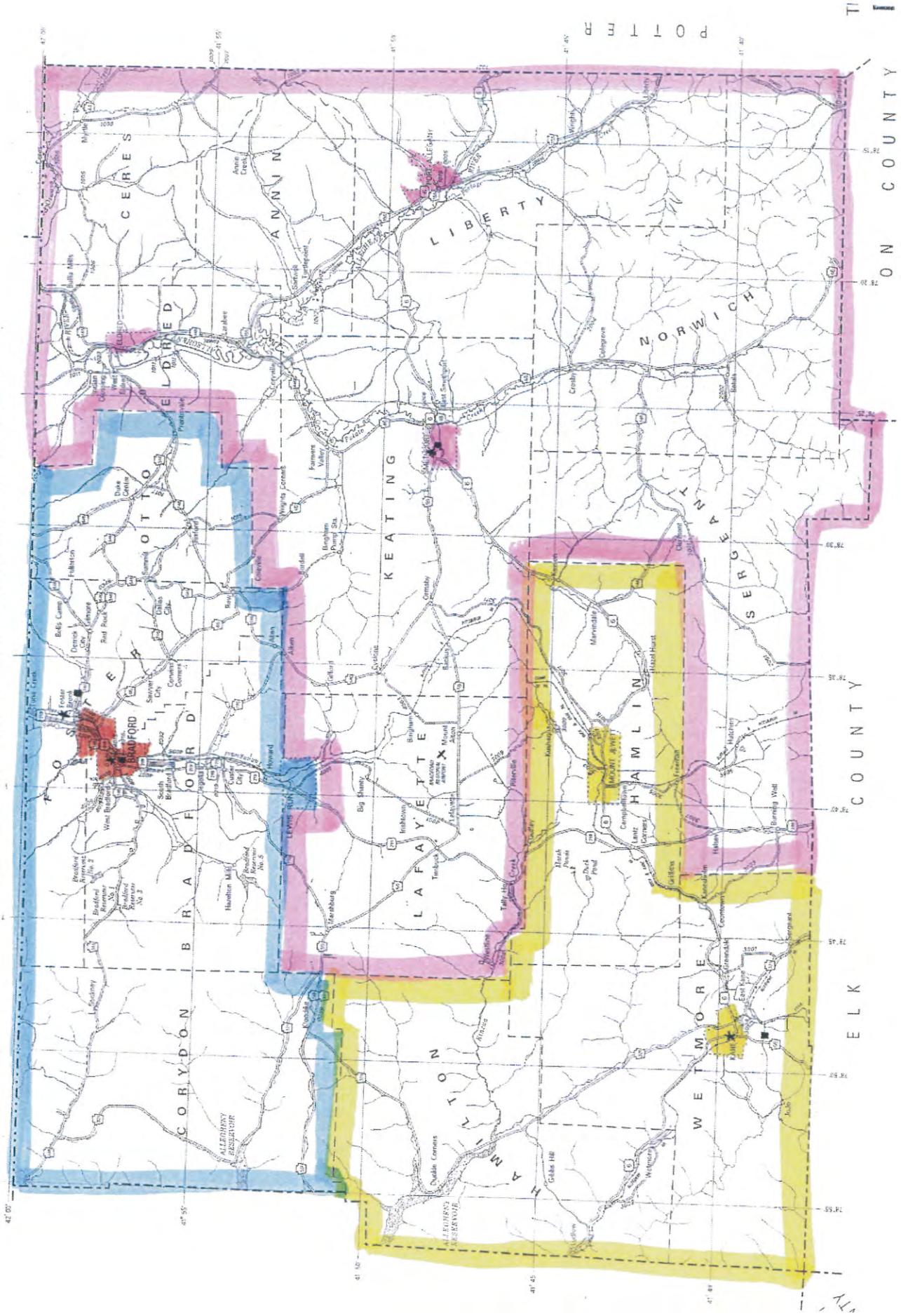
64,447

*based on average (2005-2010) of CR, NT, PC, and T cases only.

Municipality information is not available for Civil and Landlord/Tenant

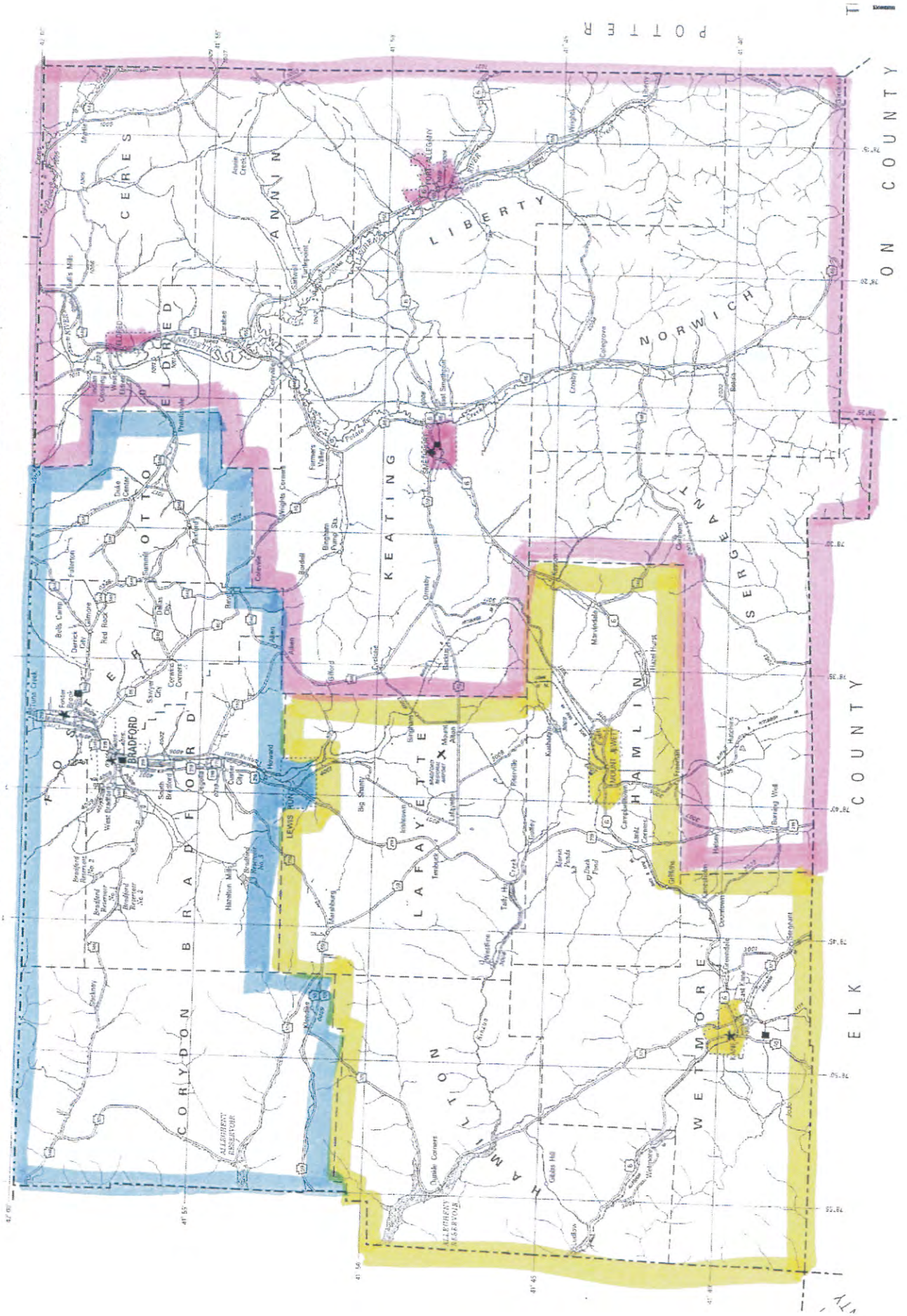
**Actual Caseload and Workload is unknown as statistics are not provided by voting district

MAP 1
CURRENT MCKEAN COUNTY MAGISTERIAL DISTRICTS



MAP 2

PROPOSED REALIGNMENT OF McKEAN COUNTY MAGISTERIAL DISTRICTS



MAP 3

CITY OF BRADFORD
PROPOSED REALIGNMENT

