

Magisterial District Reestablishment 2012

Judicial District Summary Sheet

County Name: **Somerset**

Judicial District #: **16**

Caseload and Magisterial District Elimination Analysis

The difference between the average annual caseload of Judicial District # 16 and its class of county: **23%**

Note: If the difference is $\geq 10\%$ no proposed eliminations or justification is required.

Summary of Proposed Actions

16-3-01 Realign

16-3-02 Realign

16-3-03 Realign

16-3-05 Realign

16-3-06 Realign

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

- Paint Township Police: noted concern over proposed plan to eliminate District Court 16-3-02 (which was not proposed in the submission received).
- Paint Township Secretary/Treasurer registered support for keeping 16-3-02 a centrally located office for its residents.
- BiLo Foods in Windber Township noted concern regarding potential elimination of 16-3-02.
- Windber Borough and Borough of Central City also expressed concern on potential elimination of 16-3-02.
- Hollern & Sons Auto Sales noted support to maintain 16-3-02.
- Somerset County Commissioners provided an analysis and request for court to eliminate one magisterial district.
- County travel continues to increase because of the Flight 93 Memorial and the 9 Quecreek Miners Memorial.
- Pending start date from the Secretary of Transportation to complete US 219 from Somerset to the Maryland border in 2013; which will increase filings in 16-03-05 and 16-03-06.
- Annual snowfall in Somerset county is over 200 inches; and coupled with its terrain, impacts driving ability for both residents and police.
- Increase in filings due to Marcellus Shale.

Judicial District Summary Sheet

County Name: **Somerset**

Judicial District #: **16**

- County is home to three landfills, two state prisons and has a local coal industry and wind farms with its jurisdiction.

Magisterial District Reestablishment 2012

County Name: Somerset

Judicial District #: 16

Existing and Proposed Magisterial Districts

Magisterial District #: 16-3-01

Proposed Action: Realign

Average Annual Caseload:	4,060	Average Annual Workload:	24,717
% Difference in Caseload (magisterial district/judicial district):	-3.00	% Difference in Workload (magisterial district/judicial district):	-7.00
% Difference in Caseload (magisterial district/class of county):	41.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Magisterial District Judge & Office Information:

Susan Mankamyer

805 Atkinson Way P.O. Box 55

Boswell, PA 15531

Birthdate: 11-2-66

Mandatory Retirement: 2036

Term Expires: 12-31-17

Existing Geography:

ALLEGHENY TWP Voting District; BENSON Voting District; BOSWELL Voting District; CONEMAUGH TWP VTD 01; CONEMAUGH TWP VTD 02; CONEMAUGH TWP VTD 03; CONEMAUGH TWP VTD 04; CONEMAUGH TWP VTD 05; HOOVERVILLE Voting District; JENNER TWP VTD 01; JENNER TWP VTD 02; JENNER TWP VTD 03; JENNERSTOWN Voting District; NEW BALTIMORE Voting District; QUEMAHONING TWP Voting District; STOYSTOWN Voting District

Proposed Geography:

BOSWELL Voting District; CONEMAUGH TWP VTD 01; CONEMAUGH TWP VTD 02; CONEMAUGH TWP VTD 03; CONEMAUGH TWP VTD 04; CONEMAUGH TWP VTD 05; INDIAN LAKE Voting District; JENNER TWP VTD 01; JENNER TWP VTD 02; JENNER TWP VTD 03; JENNERSTOWN Voting District; QUEMAHONING TWP Voting District; STONYCREEK TWP Voting District; STOYSTOWN Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Boswell, Conemaugh, Jennerstown, Hooversville

Major Highways: US 219, US 30, State Route 403, 601

Existing and Proposed Magisterial Districts

Magisterial District #: 16-3-02

Proposed Action: Realign

Average Annual Caseload:	2,272	Average Annual Workload:	18,397
% Difference in Caseload (magisterial district/judicial district):	-46.00	% Difference in Workload (magisterial district/judicial district):	-31.00
% Difference in Caseload (magisterial district/class of county):	-22.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

- Traffic citations originating from the turnpike are filed in this district; the majority of which are guilty pleas and distort workload equity. The office is equipped to handle its workload - more staff is in this office to process clerical work involved in processing guilty pleas.
- This is a new office that had a substantial renovation four years ago. It is located in the second largest borough in the county and serves a large rural area.

Magisterial District Judge & Office Information:

(Vacant) Cannoni
509 15th Street
Windber, PA 15963

Birthdate:
Mandatory Retirement:
Term Expires:

Existing Geography:

CENTRAL CITY Voting District; OGLE TWP Voting District; PAINT TWP VTD 01; PAINT TWP VTD 02; PAINT TWP VTD 03; PAINT Voting District; SHADE TWP VTD 01; SHADE TWP VTD 02; SHADE TWP VTD 03; WINDBER VTD 01; WINDBER VTD 02; WINDBER VTD 03; WINDBER VTD 04

Proposed Geography:

BENSON Voting District; CENTRAL CITY Voting District; HOOVERVILLE Voting District; OGLE TWP Voting District; PAINT TWP VTD 01; PAINT TWP VTD 02; PAINT TWP VTD 03; PAINT Voting District; SHADE TWP VTD 01; SHADE TWP VTD 02; SHADE TWP VTD 03; WINDBER VTD 01; WINDBER VTD 02; WINDBER VTD 03; WINDBER VTD 04

Office within district: Yes

Residence within district: Yes

Police Departments: Paint Borough, Paint Township, Shade Township, Windber Borough

Major Highways: State Routes 30, 56, 160

Existing and Proposed Magisterial Districts

Magisterial District #: 16-3-03

Proposed Action: Realign

Average Annual Caseload:	11,780	Average Annual Workload:	61,216
% Difference in Caseload (magisterial district/judicial district):	281.00	% Difference in Workload (magisterial district/judicial district):	229.00
% Difference in Caseload (magisterial district/class of county):	408.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

The workload benchmark is inflated because of traffic citations originating from the PA turnpike, most of which are guilty pleas (in 2011, this was 72% of traffic filings).

Magisterial District Judge & Office Information:

Kenneth W. Johnson	Birthdate:	6-4-51
218 North Kimberly Avenue, Suite 200	Mandatory Retirement:	2021
Somerset, PA 15501	Term Expires:	12-31-17

Existing Geography:

INDIAN LAKE Voting District; JEFFERSON TWP Voting District; LINCOLN TWP Voting District; SHANKSVILLE Voting District; SOMERSET TWP VTD 01; SOMERSET TWP VTD 02; SOMERSET TWP VTD 03; SOMERSET TWP VTD 04; SOMERSET VTD EAST; SOMERSET VTD NORTH WEST; SOMERSET VTD SOUTH WEST; STONYCREEK TWP Voting District

Proposed Geography:

LINCOLN TWP Voting District; SOMERSET TWP VTD 01; SOMERSET TWP VTD 02; SOMERSET TWP VTD 03; SOMERSET TWP VTD 04; SOMERSET VTD EAST; SOMERSET VTD NORTH WEST; SOMERSET VTD SOUTH WEST

Office within district: Yes

Residence within district: Yes

Police Departments: Somerset Borough

Major Highways: PA Turnpike, US Route 219, State Route 601

Existing and Proposed Magisterial Districts

Magisterial District #: 16-3-05

Proposed Action: Realign

Average Annual Caseload:	1,159	Average Annual Workload:	11,561
% Difference in Caseload (magisterial district/judicial district):	-73.00	% Difference in Workload (magisterial district/judicial district):	-57.00
% Difference in Caseload (magisterial district/class of county):	-60.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Note: This district will assume turnpike citations written in Jefferson Township as well as SCI-Somerset.

Magisterial District Judge & Office Information:

Sandra L. Stevanus	Birthdate:	9-26-72
616 Logan Place P.O. Box 72	Mandatory Retirement:	2042
Confluence, PA 15424	Term Expires:	12-31-17

Existing Geography:

ADDISON TWP Voting District; ADDISON Voting District; BLACK TWP Voting District; CASSELMAN Voting District; CONFLUENCE Voting District; LOWER TURKEYFOOT TWP Voting District; MIDDLECREEK TWP Voting District; MILFORD TWP Voting District; NEW CENTERVILLE Voting District; ROCKWOOD Voting District; SEVEN SPRINGS Voting District; UPPER TURKEYFOOT TWP Voting District; URSINA Voting District

Proposed Geography:

ADDISON TWP Voting District; ADDISON Voting District; BLACK TWP Voting District; CASSELMAN Voting District; CONFLUENCE Voting District; JEFFERSON TWP Voting District; LOWER TURKEYFOOT TWP Voting District; MIDDLECREEK TWP Voting District; MILFORD TWP Voting District; NEW CENTERVILLE Voting District; ROCKWOOD Voting District; SEVEN SPRINGS Voting District; UPPER TURKEYFOOT TWP Voting District; URSINA Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Confluence, Rockwood

Major Highways: US 40, State Route 281

Existing and Proposed Magisterial Districts

Magisterial District #: 16-3-06

Proposed Action: Realign

Average Annual Caseload:	1,918	Average Annual Workload:	17,667
% Difference in Caseload (magisterial district/judicial district):	-47.00	% Difference in Workload (magisterial district/judicial district):	-34.00
% 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>	

Note: This district will assume turnpike citations in Allegheny Twp. And New Baltimore Borough.

Magisterial District Judge & Office Information:

Douglas McCall Bell	Birthdate:	6-23-55
315 Grant Street P.O. Box 203	Mandatory Retirement:	2025
Meyersdale, PA 15552	Term Expires:	12-31-17

Existing Geography:

ALLEGHENY TWP Voting District; BERLIN Voting District; BROTHERS VALLEY TWP Voting District; CALLIMONT Voting District; ELK LICK TWP Voting District; FAIRHOPE TWP Voting District; GARRETT Voting District; GREENVILLE TWP Voting District; LARIMER TWP Voting District; MEYERSDALE Voting District; NEW BALTIMORE Voting District; NORTHAMPTON TWP Voting District; SALISBURY Voting District; SOUTHAMPTON TWP Voting District; SUMMIT TWP Voting District; WELLERSBURG Voting District

Proposed Geography:

ALLEGHENY TWP Voting District; BERLIN Voting District; BROTHERS VALLEY TWP Voting District; CALLIMONT Voting District; ELK LICK TWP Voting District; FAIRHOPE TWP Voting District; GARRETT Voting District; GREENVILLE TWP Voting District; LARIMER TWP Voting District; MEYERSDALE Voting District; NEW BALTIMORE Voting District; NORTHAMPTON TWP Voting District; SALISBURY Voting District; SOUTHAMPTON TWP Voting District; SUMMIT TWP Voting District; WELLERSBURG Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Berlin, Garrett, Elk Lick, Meyersdale and Summit

Major Highways: US 219, State Routes 30, 31, 160

Magisterial District Reestablishment 2012

Magisterial District Caseload/Workload Analysis

Judicial District and Class of County Comparison Statistics

Somerset / 16

Judicial District Average Caseload			
2011 Class	2011 Filings	2012 Class	2012 Filings
6	4,238	6	4,238

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		
Somerset	2011	2012
Class	6	6
CR	274	274
NT	494	494
PC	81	81
TR	3,142	3,142
CV	191	191
LT	36	36
MD	20	20
AVG	4,238	4,238

Somerset	2011	2012
Class	6	6
CR	10,047	10,047
NT	5,304	5,304
PC	872	872
TR	7,163	7,163
CV	2,156	2,156
LT	522	522
MD	647	651
-15 % Workload	22,705	22,709
Average Workload	26,712	26,716
+ 15% Workload	30,718	30,723

Magisterial District Caseload/Workload Analysis

16-3-01 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
4,060	2011	2012

Magisterial District Average: Judicial District Average:

-3	-4.19%	-4.19%
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Magisterial District Average: Class of County Average:

41	24.41%	26.71%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
24,717	2011	2012

Magisterial District Average: Judicial District Average:

-7	-7.47%	-7.48%
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16-3-02 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
2,272	2011	2012

Magisterial District Average: Judicial District Average:

-46	-46.39%	-46.39%
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Magisterial District Average: Class of County Average:

-22	-30.38%	-29.09%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
18,397	2011	2012

Magisterial District Average: Judicial District Average:

-31	-31.13%	-31.14%
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Magisterial District Caseload/Workload Analysis

16-3-03 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
11,780		

Magisterial District Average: Judicial District Average:

281	177.98%	177.98%
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Magisterial District Average: Class of County Average:

408	260.97%	267.64%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
61,216		

Magisterial District Average: Judicial District Average:

229	129.17%	129.14%
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16-3-05 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
1,159		

Magisterial District Average: Judicial District Average:

-73	-72.65%	-72.65%
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Magisterial District Average: Class of County Average:

-60	-64.49%	-63.83%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
11,561		

Magisterial District Average: Judicial District Average:

-57	-56.72%	-56.73%
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16-3-06 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
1,918		

Magisterial District Average: Judicial District Average:

-47	-54.74%	-54.74%
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Magisterial District Average: Class of County Average:

-23	-41.23%	-40.14%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
17,667		

Magisterial District Average: Judicial District Average:

-34	-33.86%	-33.87%
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JOHN M. CASCIO
PRESIDENT JUDGE

DAVID C. KLEMENTIK
JUDGE

D. GREGORY GEARY
JUDGE

**Court of Common Pleas
Sixteenth Judicial
District**

BRAD COBER,
COURT ADMINISTRATOR
111 EAST UNION STREET
SUITE 200
SOMERSET, PA 15501
(814) 445-1473
Fax: (814) 445-1455

March 28, 2012

Joseph Mittleman, Esquire
Director of Judicial Programs
Administrative Office of Pennsylvania Courts
1515 Market Street- Suite 1414
Philadelphia, Pa. 19101

Dear Mr. Mittleman:

I am pleased to enclose the redistricting plan for the 16th Judicial District of Pennsylvania. Included are the Judicial District Summary Worksheet and the 5 Magisterial District Worksheets and a map showing the proposed realignment of the districts along with a map showing the major roadways in Somerset County.

The statistics provided by the AOPC show that Somerset County has an average caseload that is 23% greater than any other sixth class county. As a result, we are not proposing to eliminate any districts but do propose realigning all existing districts in the county.

There are several things happening in Somerset County that we considered while preparing our proposal. Travel in our county continues to increase as a result of the recent completion and dedication of the Flight 93 Memorial National Park and the existing 9 for 9 Quecreek Miners Memorial. Traffic to Flight 93 has tripled since the National Park Service opened the permanent memorial in September. The Secretary of Transportation has also announced that he plans to give the green light to the completion of US Route 219 from Somerset to the Maryland border in 2013. The project has been completely designed and the rights of way have been purchased. Once completed, this highway will provide a four-lane limited access route bisecting the county from north to south, much the same as the Pennsylvania Turnpike bisects the county from east to west, and providing direct access to Interstate 68 in Maryland. Significant increases in traffic on this route are projected which, for the first time, will impact case filings in districts 16-03-05 and 16-03-06. We also are experiencing an increase in traffic due to the growth of the Marcellus Shale Gas industry in our county which can be expected to increase the traffic load already generated by the presence of three active landfills, two state prisons, a resurgence in the local coal industry and the construction of wind farms in our jurisdiction.



Page 2.
March 28, 2012
Joseph Mittleman, Esquire

While I understand that distance of travel is no longer a required inquiry, because there is no public transportation in Somerset County, this remains a significant issue. Many of our residents walk to the Court offices, and in District 16-3-06 it is not unusual for the Amish community to travel by horse and buggy.

We recognize that other counties are experiencing similar impacts on their communities but our traffic situation combined with our unique topography and the fact that we have the second largest number of highway miles of any sixth class county certainly distinguishes our situation. In addition, two of our existing districts are larger, in terms of square miles, than several counties in the Commonwealth.

Our proposal was put out for public inspection and comment on February 20, 2012. After careful review of the comments received by our Judges and our Magisterial District Court Committee, which I have enclosed for your review, we have determined that our proposed realignment is the best plan to provide judicial services in Somerset County beginning January 1, 2013.

Please contact me at your convenience if you have any questions or concerns with our plan.

Very truly yours,

A handwritten signature in black ink, appearing to read "John M. Cascio", written over a large, stylized circular flourish.

John M. Cascio,
President Judge

Enclosures

AOPC

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:	16
A.	Wh at is the class of county?	6
B.	Wh at is the percentage difference in the average annual caseload between this judicial district and the applicable class of county?	23%
II.	PROPOSED ACTIONS:	
A.	List existing magisterial districts: 16-3-01, 16-3-02, 16-3-03, 16-3-05, 16-3-06	
B.	Does this judicial district have an annual average caseload that is ten percent above the average caseload for the applicable class of county?	YES
	1. If the answer to II. B. above is <i>NO</i> , are eliminations proposed?	Choose Yes or 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?	
	2. If the answer to II. B. above is <i>YES</i> , are eliminations proposed?	NO
	a) List magisterial districts proposed for elimination.	
C.	Are any magisterial districts proposed for reestablishment?	YES
	1. List magisterial districts proposed for reestablishment. 16-3-01, 16-3-02, 16-3-03, 16-3-05, 16-3-06	
D.	Are any magisterial districts proposed for realignment?	YES
	1. List magisterial districts proposed for realignment. 16-3-01, 16-3-02, 16-3-03, 16-3-05, 16-3-06	

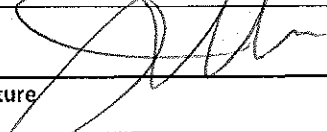
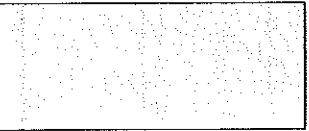
AOPC

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?	NO
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:	YES
C. Comments are attached:	YES
V. ADDITIONAL REMARKS CONCERNING PROPOSAL:	
<p>With Somerset County at 23% above the average caseload for sixth class counties I feel compelled to ask for the existing Magisterial Districts to be reestablished along with the various realignments as submitted. Somerset County's population is the 4th largest and is 30% over the average population of sixth class counties. Somerset is very rural and has over 2281 miles of highway which ranks 2nd highest number of miles in 6th class counties. The terrain of the Allegheny Mountains coupled with road conditions also needs to be considered; if not only for our constituents but for the police departments that serve our citizens. As an example, the annual snowfall in Somerset averages 200+ inches which has a significant impact on travel conditions during the winter season. The realignment process that we have presented brings us closer to the percentages that the AOPC has requested and addresses some of these travel concerns. This proposal takes into account the large number of citations generated on the Pennsylvania Turnpike and the election of a new judge whose township of residence restricts us from additional realignments. I feel that any reduction in the current offices and additional realignment of the remaining districts would also place an undue financial burden on our taxpayers as the county would have to find three new office locations and perhaps new furnishings as well. Our experience has been that everytime we relocate an office, rents double and capitol costs are involved due to reconfiguring office space.</p>	
VI. DATE SUBMITTED TO AOPC:	3-29-2012
VII. PRESIDENT JUDGE NAME:	John M. Cascio

AOPC

JUDICIAL DISTRICT SUMMARY WORKSHEET

<p>Signature  P.J.</p>	
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AOPC

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 (#####):	16-3-01
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
	A. Average Total Caseload:	580
	B. Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-3%
	C. Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	41%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
	A. Average Total Workload:	3,531
	B. Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-7%
	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 checked="" type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
	B. What is the proposed effective date (m/d/yyyy):	1/1/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
	A. Magisterial District Judge Name: Susan Mankamyer	
	B. Term Expiration (m/d/yyyy):	1/1/2018

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (m/d/yyyy):	1/1/2036
D. Office Location (Street, City and Zip code):	805 Atkinson Way Boswell, Pa. 15531
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:	Boswell, Conemaugh, Jennerstown & Hooversville
H. List any major highways within this magisterial district:	US 219 US 30 State Route 403, 601
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Boroughs: Benson, Boswell, Jennerstown, Stoystown, Hooversville; Townships: Conemaugh, Jenners, Quemahoning; Turnpike Only Allegheny Township & New Baltimore Borough
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Boroughs: Boswell, Indian Lake, Jennerstown, Stoystown; Townships: Conemaugh Jenners, Quemahoning, Stonycreek
VIII. ADDITIONAL COMMENTS:	
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	

AOPC

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 (#####):	16-3-02
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	325
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-46%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-22%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD	
A.	Average Total Workload:	2,628
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-31%
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.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>It really doesn't impact equality of workload if you take out the guilty pleas in the form of traffic citations from the Pa Turnpike that are filed in 16-3-03. That office is set up with staff, size and location to handle the turnpike. Plus our realignment will bring the percentages closer together. 16-3-03 had 10,784 guilty pleas out of over 15,000 citations filed in 2011.</p>	
IV.	PROPOSED CHANGE:	
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	1/1/2013

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

V. MAGISTERIAL DISTRICT INFORMATION:	
A. Magisterial District Judge Name: Joseph A. Cannoni Sr. Judge	
B. Term Expiration (m/d/yyyy):	
C. Mandatory Retirement Date (m/d/yyyy):	
D. Office Location (Street, City and Zip code):	509 15 th Street Windber, Pa 15963
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:	Paint Borough, Paint Township, Shade Township and Windber Borough
H. List any major highways within this magisterial district:	State Routes 30, 56 and 160
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
Boroughs: Central City, Paint And Windber; Townships: Ogle, Paint And Shade.	
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
Boroughs: Benson, Central City, Hooversville, Paint And Windber; Townships: Ogle, Paint And Shade	
VIII. ADDITIONAL COMMENTS:	
This is a new office that the county has spent significant dollars in renovating less than 4 years ago. The office is situated in Windber which is the second largest borough in the county. This office also serves a rural area that covers 135 square miles of secondary and gravel highways making travel times to and from the office excessive for those that live near the county line to the East.	
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	

AOPC

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 (#####):	16-3-03
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	1,683
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	281%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	408%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD	
A.	Average Total Workload:	8,745
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	229%
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.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>The numbers are inflated for this district because of the traffic citations from the Pa. Turnpike most of which are guilty pleas. The proposed realignment will help with those numbers. This office handled 10,784 guilty pleas out 15,000 citations in 2011. Keep in mind that this office has the appropriate staff and space to handle this workload.</p>	
IV.	PROPOSED CHANGE:	
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	1/1/2013

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

V. MAGISTERIAL DISTRICT INFORMATION:
A. Magisterial District Judge Name: Kenneth W. Johnson
B. Term Expiration (m/d/yyyy): 1/1/2018
C. Mandatory Retirement Date (m/d/yyyy): 1/1/2021
D. Office Location (Street, City and Zip code): 218 N. Kimberly Ave Somerset, Pa. 15501
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: Somerset Borogh
H. List any major highways within this magisterial district: Pa Turnpike, U.S. Route 219 and State Route 601
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Boroughs; Somerset, Indian Lake And Shanksville; Townships: Jefferson, Lincoln Somerset And Stonycreek.
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: Borough: Somerset; Townships: Lincoln And Somerset
VIII. ADDITIONAL COMMENTS: This realignment will reduce caseload by 25%
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.

AOPC

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 (#####):	16-3-05
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
	A. Average Total Caseload:	166
	B. Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-73%
	C. Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-60%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
	A. Average Total Workload:	1,652
	B. Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-57%
	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? As stated previously, if you discount the guilty traffic pleas the percentages come closer together. The realignment of each office will improve the workload equity throughout the district.	
IV. PROPOSED CHANGE:		
	A. Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
	B. What is the proposed effective date (m/d/yyyy):	1/1/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
	A. Magisterial District Judge Name: Sandra L. Stevanus	

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

B. Term Expiration (m/d/yyyy):	1/1/2018
C. Mandatory Retirement Date (m/d/yyyy):	1/1/2042
D. Office Location (Street, City and Zip code):	616 Logan Place Confluence, Pa. 15424
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:	Confluence, Rockwood
H. List any major highways within this magisterial district:	US 40 and State Route 281
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Boroughs: Addison, Casselman, Confluence, New Centerville, Rockwood, Seven Springs And Ursina; Townships: Addison, Black, Lower Turkeyfoot, Middlecreek, Milford And Upper Turkeyfoot.
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Boroughs: Addison, Casselman, Confluence, New Centerville, Rockwood, Seven Springs And Ursina; Townships: Addison, Black, Jefferson, Lower Turkeyfoot, Middlecreek, Milford, And Upper Turkeyfoot. Note; This District Will Assume Turnpike Citations Written In Jefferson Township As Well As SCI-SOMERSET.
VIII. ADDITIONAL COMMENTS:	
	District Court 16-3-05 is comprised of 13 municipalities that encompass 249 square miles. This district is larger than the counties of Delaware, Montour and Philadelphia. This court also has been assigned numerous cases from the other courts that arise from recusals. The proposed realignment will increase caseload by 25%
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

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

To enter data, press TAB to move between fields.

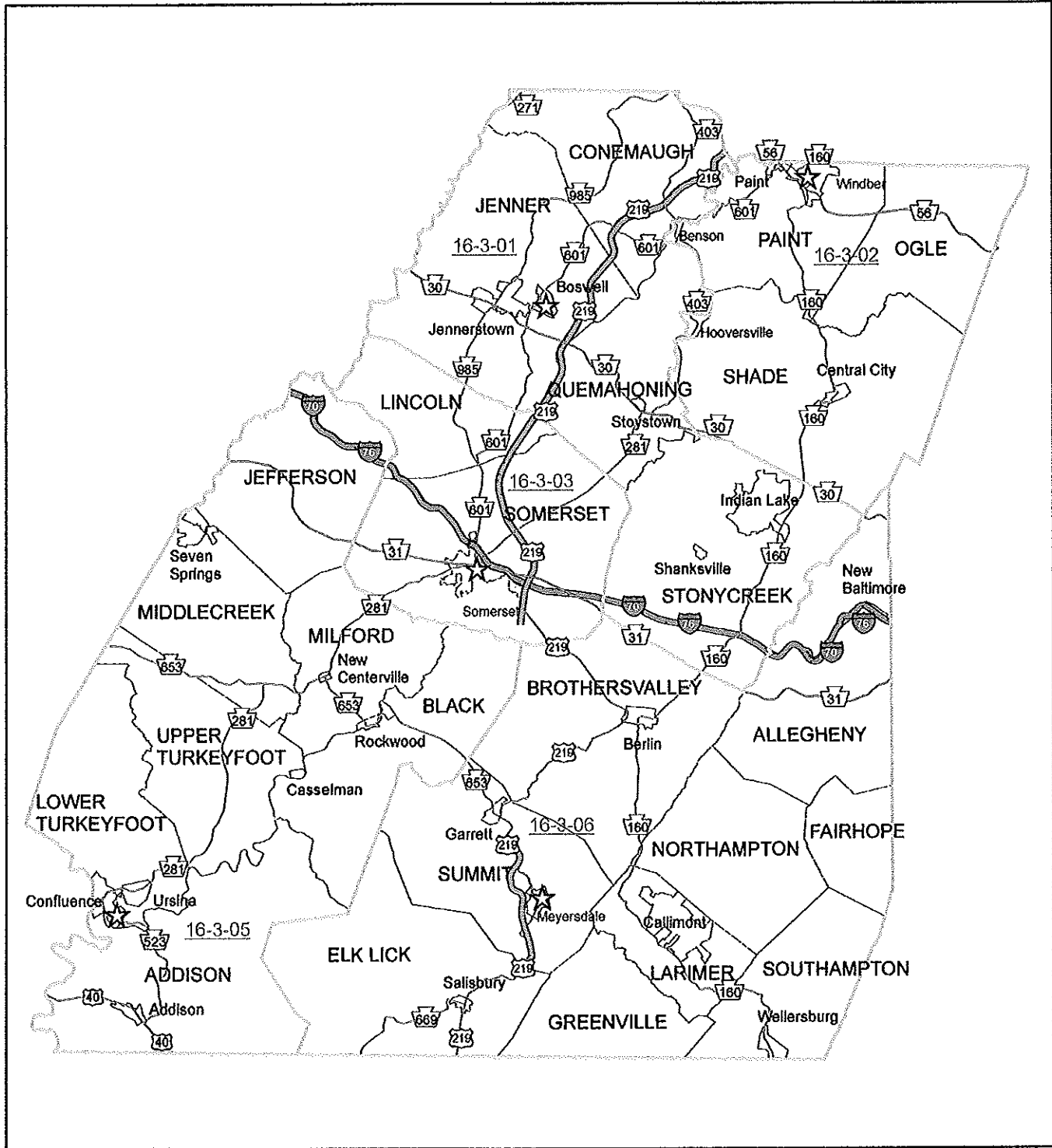
I.	MAGISTERIAL DISTRICT COURT NUMBER (#####):	16-3-06
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
	A. Average Total Caseload:	317
	B. Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-47%
	C. Difference (%) between this 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:	2,524
	B. Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-34%
	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? As stated previously, if you discount the guilty pleas in 16-3-03 the percentages come closer together. The proposed realignment of each office will improve the workload equity throughout the district.	
IV. PROPOSED CHANGE:		
	A. Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input checked="" type="checkbox"/> Realign <input type="checkbox"/> Eliminate
	B. What is the proposed effective date (m/d/yyyy):	1/1/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
	A. Magisterial District Judge Name: Douglas McCall Bell	

AOPC

MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

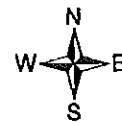
B. Term Expiration (m/d/yyyy):	1/1/2018
C. Mandatory Retirement Date (m/d/yyyy):	1/1/2025
D. Office Location (Street, City and Zip code):	315 Grant Street Meyersdale, Pa. 15552
E. Is the office within the boundaries of the magisterial district:	YES
F. Is the residence of the magisterial district judge within the boundaries of the magisterial district:	YES
G. List any police departments located within this magisterial district:	Berlin, Garrett, Elk Lick, Meyersdale and Summit
H. List any major highways within this magisterial district:	US 219, State Routes 30, 31, 160
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Boroughs: Berlin, Callimont, Garrett, Meyersdale, New Baltimore, Salisbury & Wellersburg; Townships: Allegheny, Brothersvalley, Elk Lick, Fairhope, Greenville, Larimer, Northampton, Southampton & Summit.
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
	Boroughs: Berlin, Callimont, Garrett, Meyersdale, New Baltimore, Salisbury & Wellersburg; Townships: Allegheny, Brothersvalley, Elk Lick, Fairhope, Greenville, Larimer, Northampton, Southampton & Summit. Note; This District Will Assume Turnpike Citations In Allegheny Twp And New Baltimore Borough.
VIII. ADDITIONAL COMMENTS:	
	This is a large district in a very rural area that has relatively long travel times. This district is comprised of 16 municipalities and covers 340 square miles. The district is larger than the counties of Delaware, Montour, Snyder, Union and Philadelphia. Transportation Secretary Barry Schoch has announced that he expects to give the green light to the completion of 22 miles of US 219 in 2013, most of which is in this district.
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.	

SOMERSET COUNTY PROPOSED DISTRICT JUSTICE BOUNDARIES



Legend

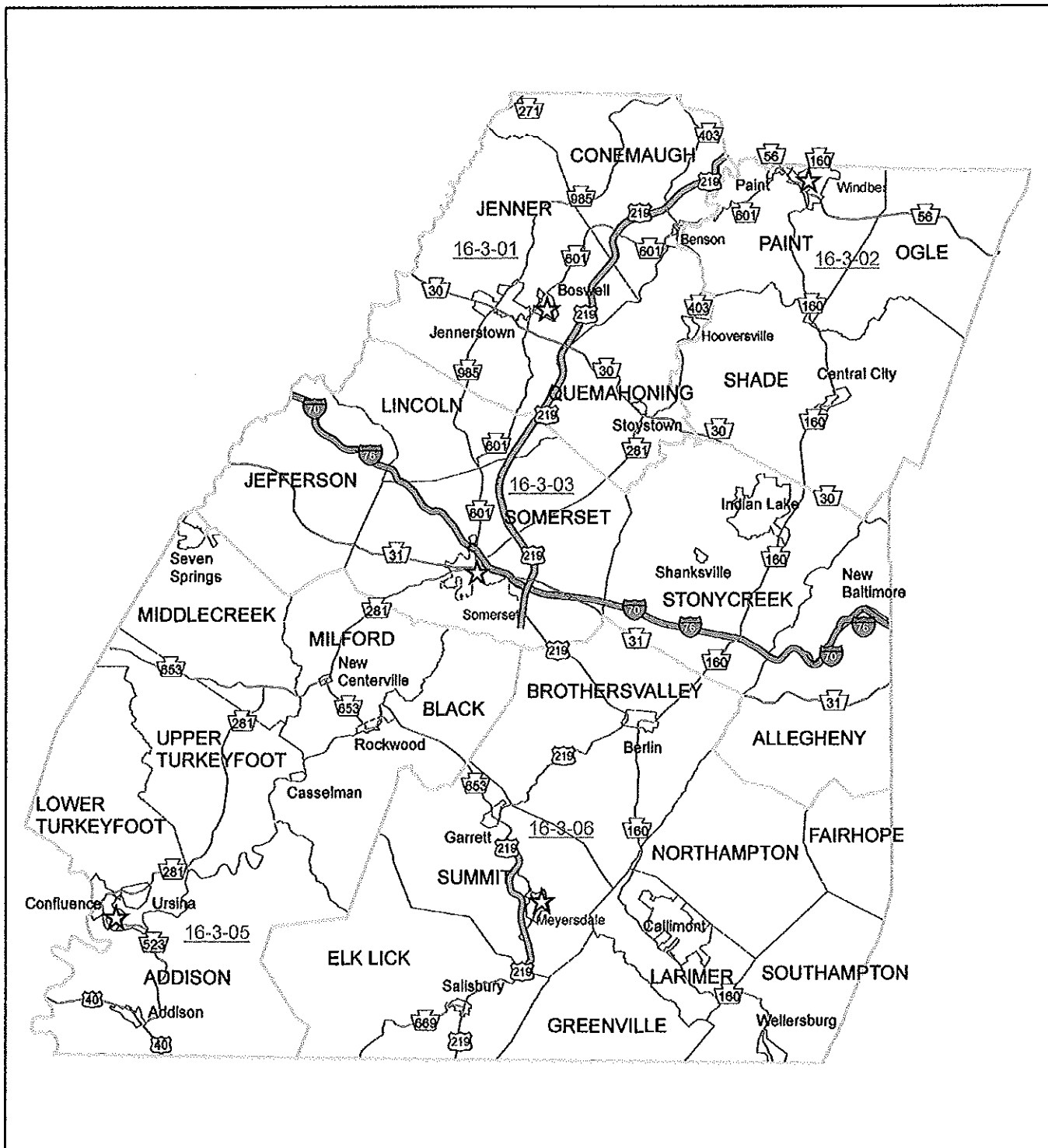
- DJ Districts Boundary
- ★ DJ Office
- Municipalities



0 2 4 8 12 16
Miles

Source: SOMERSET COUNTY PLANNING COMMISSION
02-17-12

SOMERSET COUNTY EXISTING DISTRICT JUSTICE BOUNDARIES



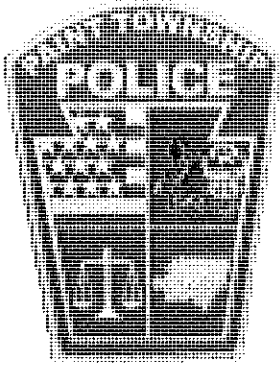
Legend

- DJ Districts Boundary
- ★ DJ Office
- Municipalities



0 2 4 8 12 16
Miles

Source: SOMERSET COUNTY PLANNING COMMISSION
02-17-12



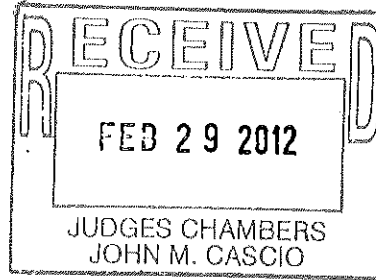
PAINT TOWNSHIP POLICE DEPARTMENT

Chief Richard W. Skiles

1741 Basin Drive, Suite 2, Windber, PA 15963

(814) 467-8444

(814) 467-9552



February 28, 2012

Judge John M. Cascio
111 East Union Street
Somerset, PA 15501

Dear Judge Cascio,

We currently are in one of the most difficult financial times in recent history. It would seem that state and federal leaders are pushing for consolidation or shared services in an effort to cut cost and be more economically responsible. The Paint Township Police Department has taken on that effort in merging the Windber Borough and Paint Township Police in an effort to save tax dollars. Our department also provides police coverage to Central City Borough, Benson Borough, Paint Borough and Scalp Level Borough in Cambria County.

During 2011 the Paint Township Police had 118 criminal arrests, 589 traffic citations issued and 202 non-traffic citations filed. The department also requested and served numerous warrants for the courts. With the listed activities our department had approximately 275 hearings just at District Court 16-3-02.

It is our belief that eliminating District Court 16-3-02 would be a downsizing mistake. If that court office is eliminated and we have to travel to District Court 16-3-01 in Boswell, Paint Township will incur additional expense for overtime, fuel and vehicle depreciation/maintenance costs totaling over \$11,800.00. This expense will have to be passed onto the local governments and possibly force tax increases or elimination of police services.

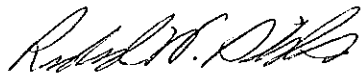
Our concern is that elimination of a District Court will cause expense on the local side of government in the future as well by overburdening the remaining courts. If we are to eliminate a court, arrests and citations may decline. Officers will be annoyed by delays and backlogs for hearings and a downward spiral of the system will take place leading to future expense to correct the downsizing mistake. Crime will escalate and our communities and businesses will suffer.

It is our sincere hope that careful consideration will be taken in this matter not just for now but for the years to come.

A breakdown of our additional expense would show if we average a daily trip to court for administrative purposes (260) annually and (275) hearings per year for a total of (535) trips to court. If we have to travel to District Court 16-3-01 in its current location we would travel approximately 20,544 miles. We are currently paying \$3.25 per gallon of fuel with vehicles that average 15 miles per gallon for additional expense of \$4,451.20. Overtime payments for officers to travel to and from the Boswell office instead of the Windber office just for hearings (275) would be \$7,317.75. This reflects a total of over \$11,768.95 additional expense to Paint Township.

Thank you for your careful consideration on this matter. You may also share this information as necessary. If you have any questions please feel free to contact me.

Sincerely,

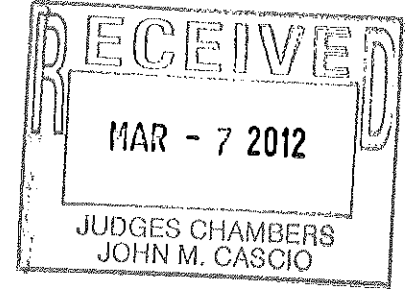
A handwritten signature in cursive script, appearing to read "Richard W. Skiles".

Richard W. Skiles
Chief of Police



PAINT TOWNSHIP

March 1, 2012



Brad Cober
Somerset County
300 N. Center Ave.
Somerset, PA 15501

Re: District Court Office 16-3-02

Dear Mr. Cober:

Please consider this our letter of support in maintaining a centrally located court office for the areas serviced by District Court 16-3-02.

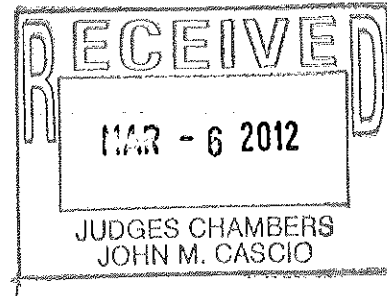
We respectfully request that consideration be given to maintaining a local office for those area residents who are serviced by that location. Also, it would be an advantage to the Paint Township Police Department who provides police services for five neighboring municipalities located in the northern part of Somerset County. In addition it would be helpful to the Board of Paint Township Supervisors for budgeting purposes in the area of law enforcement.

Your efforts and consideration given to this matter is most appreciated.

Sincerely,

Andy Twardzik
Secretary-Treasurer

Cc: The Honorable John Casico
Cc: file



Randy Salem
Randy's Bi Lo Foods
1514 Jefferson Ave.
Windber, Pa. 15963
March 2, 2012

The Honorable John M. Cascio
111 East Union Street
Somerset, Pa. 15501

Dear: Judge Cascio

My name is Randy Salem and I am writing this letter as a concerned retail business owner in the Windber community. My concern is the potential elimination of District Court 16-3-02 in Windber. As a business owner of a retail supermarket the benefit and conveniences of having a local magistrate for retail theft charges, bad checks, or any other criminal charges needed to be filed is quite beneficial to the efficiencies of my business. The entire community would greatly appreciate your consideration to allow the continual presence of District Court in Windber.

Sincerely,

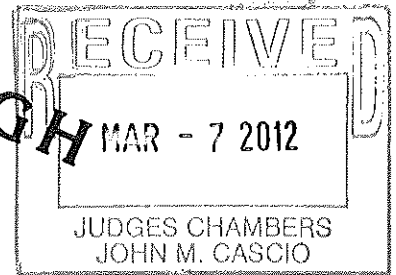
A handwritten signature in cursive script that reads "Randy Salem".

Randy Salem
Randy's Bi Lo Foods

WINDBER BOROUGH

1401 Graham Ave. Windber, PA 15963

(814) 467-9014
FAX (814) 467-7354



March 6, 2012

Hon. Judge John M. Cascio
111 East Union St., Suite 120
Somerset, PA. 15501

RE: District Court 16-3-02

Dear Judge Cascio:

I am writing to express not only my concern but that of the citizens of the Borough of Windber as well as the other municipalities in the northern end of Somerset County. I understand that with the proposed redistricting of the District Court system in Somerset County that consideration is being given to the elimination of one of the District Courts.

Here in the Borough of Windber we have District Court 16-3-02 which is Judge Cannoni's court. The court currently services the highly populated northern end of the county. It serves several municipalities as well as the numerous businesses in the Borough of Windber. The Paint Township Police Department provides police services for the Borough for a contract price. If it became necessary for the police to travel to a different district court; this would have an adverse effect on the budgets of the local municipalities when contracts are renegotiated due to increased overtime and fuel usage to travel to a different court. With today's tight budgets municipalities must conserve dollars any way possible.

In addition District Court 16-3-02 was extensively remodeled a few years ago and a large sum of money was spent on their current location to make it a high efficient office. As the Manager of the Borough of Windber and the representative of Borough Council, I am requesting that District Court 16-3-02 be retained in its current location to best serve the needs of northern Somerset County and its citizens.

Thank you in advance for your consideration in this important matter.

Sincerely,

A handwritten signature in cursive script that reads "Fred Oliveros".

Fred Oliveros
Manager

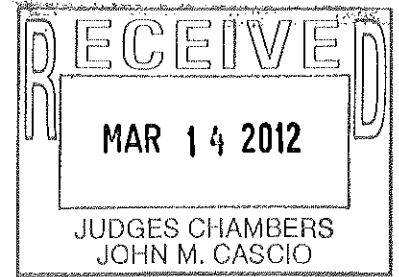
Borough of Central City

314 Central Avenue Suite 201

Central City, PA 15926

TTY/TDD Only 1-800-654-5984

Phone & Fax 814-754-8290



Somerset County Commissioners
300 N. Center Ave. Suite 500
Somerset, PA 15501

March 8, 2012

RE: Closing of District Justice Office

Commissioners:

Many years ago there was a Magistrate Office in Central City Borough. The office was closed and the District Justice Office in Windber was designated as the Office to handle matters for our area. At the time this created a great inconvenience for residents in the Central City Area as they had to drive to Windber to have their cases heard.

Now there is the possibility that the District Justice Office in Windber may be closing. Due to the rising cost of gasoline many residents may choose to ignore infractions rather than drive the extra distance to see justice served.

Another issue arising from the closing of this office is the cost of police protection. In 2002 Central City Borough found it necessary to close its police office. They have since contracted with Paint Township Police Department for their police protection. By having the officers drive a further distance to and from the District Justice Office it is costing more for travel and taking the officers from their appointed rounds. As was stated, Central City Borough has already made sacrifices to ensure police protection and the Borough is not financially secure to absorb additional costs.

The Borough of Central City is requesting that you please reconsider the closing of the District Justice Office in Windber.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel T. Dabbs".

Daniel T. Dabbs, President

Central City Borough Council

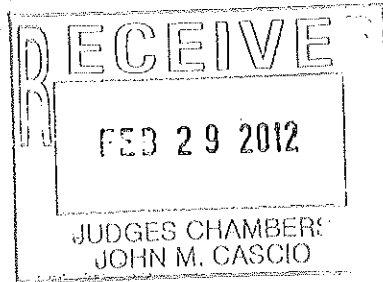
Cc: Judge Cascio
Rick Skiles

Hollern & Sons Auto Sales

402 17th Street

Windber, PA 15963

Phone (814)467-7458 Fax (814)467-8552



02/28/2012

To Whom It May Concern:

The office of The Honorable Joseph A Cannoni located in Windber has been an asset to our business. The close proximity has allowed us to conveniently operate our business without the need to travel when his services are needed.

Baumgardner Motors Inc D/B/A Hollern & Sons Auto Sales has been a Windber Business for over 60 Years.

Keith J Hollern

A handwritten signature in black ink, appearing to be "KJH", written over a horizontal line.

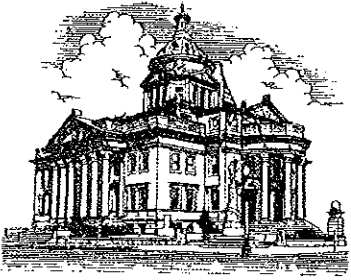
President
Hollern & Sons Auto Sales

SOMERSET COUNTY COMMISSIONERS

300 North Center Avenue, Suite 500 • Somerset, PA 15501

(814) 445-1400 • (814) 445-7991 Fax

www.co.somerset.pa.us



John P. Vatauk, Chairman
Joe Betta, Vice Chairman
Pamela A. Tokar-Ickes, Secretary

January 30, 2012

The Honorable John M. Cascio
President Judge
Court of Common Pleas of Somerset County
111 East Union Street, Suite 212
Somerset, Pennsylvania 15501

Re: **Evaluation of Reestablishment of the Magisterial Districts
in the 16th Judicial District**

Dear Judge Cascio:

We, the elected Board of County Commissioners, are submitting to you the recommendation of the reestablishment of the magisterial districts within the 16th Judicial District as a result of the latest census information.

We have reviewed the recent data provided by the Administrative Offices of the Pennsylvania Courts on the magisterial district reestablishment and the statistics. The statistics identify case filings for the last six years for each magisterial district and provide a breakdown of the filings by municipality for criminal, traffic, non-traffic, private complaints and miscellaneous, including landlord/tenant and civil matters.

The Chief Judge of the Pennsylvania Supreme Court has established a goal to reduce the number of magisterial districts state-wide by 10% and has asked each President Judge to assess whether it is feasible to eliminate any of the magisterial districts in the county. A strong preference is to eliminate magisterial districts through attrition, wherever practical. As a result of the attrition methodology, elimination of districts may occur anywhere from two to six years in the future. This is especially germane in light of the recent resignation of District Judge Cannoni in Windber. We have analyzed the data in anticipation of writing this letter by looking at the average caseload of each office. The Supreme Court in its guidelines requesting that the average caseload of magisterial districts that is not more than 10% above the average caseload for the class of the County should be considered for elimination and an explanation given as to why the district is not being proposed to be eliminated.

In addition to the filing information, they have also established a format for determining workload based upon a calculation that the Supreme Court derived based upon the amount of time spent on a particular case. In reviewing the data, one conclusion is easily reached. That conclusion is that the County is generally under the state average and average for sixth class counties with everything except traffic. As an example, Somerset County's offices generally are 23% under the state average for criminal cases, based upon workload; 22% under the state average for non-traffic citations; 43% under the state average for private complaints; 27% under the state average for civil suits; 70% under the state average for landlord/tenant disputes; and 77% under the state average for miscellaneous actions. On the other hand, we are more than 14% above the state average for traffic violations. A similar analysis could be done in comparing our statistics with sixth class counties, which we believe would be similar.

A breakdown of the average filings among Boswell, Windber, Somerset, Confluence and Meyersdale, demonstrates there are more than 5.3 times more filings in Somerset than there are in Windber and nearly 11 times more citations in Somerset than in Confluence. In ranking, Somerset is the highest of filings with 11,115; Boswell with 3,870 (3,107 of which are traffic); Meyersdale with 2,311 (practically one-half of which are traffic); Windber with 2,108; and Confluence with 1,059.

We also wish to apprise you fully of the cost of operation of these magisterial offices. We have been informed by the Fiscal Department of the County that the only magisterial office that does not run in a deficit is Somerset. In calendar year 2011, for the first time in three years, that office generated revenue higher than expenses in the amount of \$15,123.56. Expenditures were higher than the revenues in the two previous years.

A consistent trend of deficits has occurred in each other magisterial office. In 2011, the Boswell office's expenses exceeded revenue by \$70,582.18. That has consistently been higher each year of the statistics that have been provided to me. The Windber office has expenditures exceeding revenue in 2011 of \$80,886.77 which is somewhat less of a deficit than was experienced in 2009 in the amount of \$85,390.24 and in 2010 in the amount of \$87,380.41. In 2011, the Confluence office's expenses exceeded its revenue by \$49,869.75 which is the lowest deficit in the last four years with the highest deficit being in 2010 of \$69,975.86. The Meyersdale office's expenses exceeded its revenue by \$74,806.81 and that number has remained relatively constant from 2009 to the present. These expenses do not include the labor costs for the district magistrate judge.

Additionally, we have been informed that the comparison of the population census in 2010 compared to 2000 has decreased in the Boswell region by 3.4%; Windber region by 6.1%; Confluence region by 6.1%; Berlin region by 4.5%; and an increase in the Somerset region by

1.7%.

At the present time, there are five separate magisterial districts. Somerset County is a sixth class county and we have reviewed other sixth class counties complement of magisterial offices within their judicial district. Only Somerset, Columbia and Crawford counties have more than four magisterial districts within that class. The complements of the sixth class counties are as follows:

Adams County	4
Armstrong County	4
Bedford County	4
Bradford County	4
Carbon County	4
Clarion County	4
Clearfield County	4
Clinton County	3
Columbia County	5
Crawford County	6
Elk County	2
Greene County	3
Huntington	4
Indiana County	4
Jefferson County	3
McKean County	4
Mifflin County	2
Somerset County	5
Susquehanna County	3
Tioga County	3
Warren County	4

We are asking the Court to consider eliminating one magisterial district office and reestablishing four magisterial districts in order to maintain caseload equity among the judicial districts and consider centrally locating the remaining offices. Because of the implementation of video arraignments, the travel time for the Pennsylvania State Police and other municipalities have been significantly reduced for a more efficient and cost effective administration of judicial services to the public. As the Court recalls, in March of 2006, the then Board of Commissioners recommended the establishment of three magisterial districts, a north, central and southern district in order to maintain a caseload equity. While our recommendation was considered, it

The Honorable John M. Cascio
January 30, 2012
Page 4

was not implemented and the five magisterial districts remained throughout the last 10 years.

In light of the present direction of the Supreme Court and the unique situation that presents itself with the recent resignation of the district judge, the attrition model as recommended appears to fall within the appropriate guidelines that are established. We hope that the Court will consider these comments helpful especially as they pertain to the financial responsibilities placed upon the County as a result of the five magisterial districts as presently constituted. It is believed that the four centrally located magisterial districts can accomplish the recommendations and place a more equitable caseload allocation. This recommendation is submitted to aid you in providing the financial component as part of your analysis to the Supreme Court.

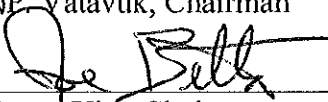
We are willing to provide any additional information as you or the Court Administrator request as the planning process continues.

Very truly yours,

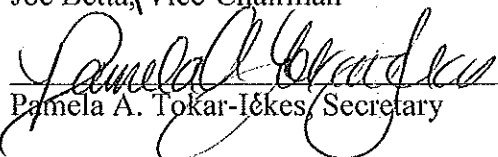
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Flight 93 site visits hit record

*With high bested by
100,000, more stops
predicted this year*

BY RICHARD ROBBINS

TRIBUNE-REVIEW

The public flocked to the site of the Flight 93 National Memorial in Somerset County in 2011, setting an attendance record of 265,000.

The figures include the more than 135,000 people who viewed the unveiled memorial in the last four months of the year, park officials said on Saturday.

The previous record was 165,000 visitors in 2006.

At a meeting yesterday of the Flight 93 Advisory Commission, National Park Service superintendent Jeff Reinbold projected attendance in 2012 will climb to between 350,000 and 400,000.

To handle the crowds, Reinbold said the NPS is developing "special ranger talks" as well as self-guided tours for cell and smartphones. New brochures are also in the works, Reinbold said.

The park service official said a temporary, gravel parking lot with as many as 125 spaces would be constructed in time for the tourist deluge expected this summer.

The \$60 million Flight 93 National Memorial in Stonycreek Township was dedicated on Sept. 11 on the 10th anniversary of the terrorist

Daily American

Somerset County's Newspaper

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Teacher accused of name-calling

Salisbury school board hears parents' complaints

By PHILIP PETRUKAK
philip@dailyamerican.com

Angry parents called for Salisbury-Elk Lick school officials to take action against a high school math teacher who parents claim has been berating their children with demeaning and derogatory names during class.

Five parents voted their frustrations during a school board meeting Wednesday. They claim an eighth- and ninth-grade algebra teacher has called students names including, "retard," "idiot" and "moron" during lessons and in front of their peers.

John Wright, a sports medicine and exercise science professor at Frostburg State University, said that he initially dismissed his son's complaints.

"But others started coming forward and we realized it wasn't just our child," Wright told school board members. "My son has struggled in math, but now he is afraid of it."

"He said, 'dad, I'm tired of being embarrassed,'" Superintendent Joseph Renzi said the district takes the complaints seriously.

"We will take appropriate measures to respond to those concerns appropriately," he said.

He declined to comment further on the issue. He acknowledged that the school district does have policies in place that prohibits offensive language to be used in school by students and teachers alike.

(See SCHOOL, A2)



How to finish 219

Transportation secretary outlines keys to extending highway to Meyersdale

By VICKI ROCK
vicki@dailyamerican.com

Pennsylvania Secretary of Transportation Barry Schoch said Wednesday that he is optimistic that Route 219 between Meyersdale and Somerset can be completed.

There are two things being talked about, he said, and if either is enacted then Route 219 will be built. The House transportation bill — The American Energy and Infrastructure Jobs Act filed on Tuesday — includes the use of toll credits for Appalachian highway projects such as Route 219. States earn toll credits for work performed on toll roads such as the Pennsylvania Turnpike. The other is proposal "revenue enhancement" within state government. That would be an increase in the gasoline tax or driver's license fees. The tax increase in the gasoline tax was in 1992.

"If either one passes, I'll tell Tom (Prestash, district engineer for PennDOT District 8) to drop the green flag and get this project moving," Schoch said.

(See 219, A9)

Ursina Borough OKs moving sewage plant

By KATIE WALKER
katie@dailyamerican.com

Faced with a lengthy court appeal and growing legal expenses, Ursina Borough Council decided to relocate its pending sewage treatment plant at a meeting Wednesday.

Council approved a motion to relocate the \$3.5 million plant from a community ball field to property owned by local resident Eldon Sechler along Hogback Road. Sechler has agreed to donate the land, according to council.

The project, which is five years in the making, has been delayed by several factors since its early planning stages.

Local business owner Len Benyak and other residents expressed disapproval with council's choice to build the state-mandated plant in a community ball field.

Benyak said the site is so close to his bed and breakfast that it would drive customers away and slash his profits. Its visibility from Route 221, which runs through Ursina,

The more this project is delayed, the more it costs the people of Ursina.

— Councilwoman Shirley Metheny

was another complaint among some residents.

He filed an appeal against council's decision, questioning the borough's ownership of the ball field. He also questioned whether the site is suitable for a sewage plant, because it was recently classified as a wetland by the state Department of Environmental Protection.

In an attempt to move the project forward and avoid legal expenses, council finally agreed to relocate the site.

"I'm happy that the ball field will remain with the kids in town," said Benyak, who was unable to attend Wednesday's meeting.

(See URSINA, A2)

Bubble boy



This boy behind the bubble is Bradley Hauger of Somerset. The 4-year-old was outside blowing the soapy orbs on Wednesday. He is the son of Katie Hauger.

Budget woes

Details on budget cuts in Pennsylvania's 500 districts. Spending dropped from \$25.52 billion in 2010-11 to \$24.73 billion in 2011-12. The statewide average of per student spending is \$13,589.

Pennsylvania public schools fear tougher budget year awaits

By MARC LEVY
Associated Press

HARRISBURG (AP) — A year that has been hard on Pennsylvania's public school budgets, particularly in the state's poorest districts, could be followed by an even tougher year.

The administration of Gov. Tom Corbett is preparing a bud-

get proposal Tuesday that will address a projected deficit, the state government's fourth in a row.

And many lawmakers believe the Republican will press for more cuts to public school funding just a year after he and the GOP-controlled Legislature leveled the biggest school aid reduction in at least several

decades to help close a multibillion-dollar shortfall.

Corbett's budget unveiling comes at a time when school districts' costs for pensions, salaries and health care are rising, and computer and textbook purchases and routine maintenance are being put off.

Language, tutoring, arts and athletics programs are shrink-

ing in many districts, while class sizes are growing.

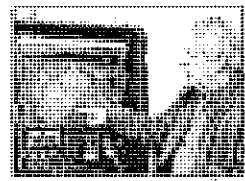
It also comes as lawmakers warn Corbett that he needs to come up with a plan to deal with a growing number of school districts that could run out of money to pay bills, as impoverished Chester Upland, near Philadelphia, already did.

(See SCHOOLS, A9)

Treasure hunter takes aim at \$3B sunken bounty

By CLARKE CANFIELD
Associated Press

PORTLAND, Maine (AP) — A shipwreck hunter says he has found the wreck of a World War II merchant ship that was torpedoed by a German U-boat off Cape Cod with a load of platinum now valued at \$3 billion — perhaps the rich-



Greg Brooks, co-manager of Sub Sea Research, points out an image taken of a crate he hopes to recover from the British merchant ship Port Nicholson Wednesday.

est hoard ever discovered at the bottom of the sea.

(See BOUNTY, A8)

Winter is missing in much of the country

By SEITH BORENSTEIN
AP Science Writer

WASHINGTON (AP) — Snow has been missing in action for much of the U.S. the last couple months. But it's not just snow. It's practically the season that's gone AWOL.

"What winter?" asked Mike Halpert, deputy director of the National Weather Service's Climate Prediction Center. For the Lower 48, January was the third-least snowy on record, according to the Global Snow

Lab at Rutgers University. Records for the amount of ground covered by snow go back to 1967.

(See WINTER, A9)

Pena State ed for Miguel Savioff and other experts comment on local planting and the new federal Fire Hardness Zone Map. — A3



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Daily American

AREA DEATHS
Sade B. Hamon, 74, Friesers
Regin A. Wright, 87, Addison
Donald E. Saylor, 65, of Washington, Mich., formerly of Berlin

TODAY'S WEATHER
Mostly cloudy.
See the forecast on Page A10.

Good morning,
Dana Wagner.
Thanks for reading.

WHAT'S INSIDE

Classifieds	B6-7	Public Notices	B6
Comics	B2	Sports	A6-B, 10
Crossword	B2	Sudoku	B6
Home and Family	B3	Weather	A10
Opinion	A4	Word Sleuth	B6

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INSPIRATION

Do not be like those who pray using empty phrases. For your Father knows what you need before you ask him.

— Matthew 6:8

...a Groundhog Day blizzard barreled across the country killing 35 people and causing \$1.8 billion in damage. This year, less than a fifth of the country outside of Alaska has snow on the ground.

Bismarck, N.D., has had one-fifth its normal snow, Boston a third. Buffalo is three feet below normal for snowfall this year. Midland, Texas, has had more snow this season than Minneapolis or Chicago.

Forget snow. For much of the country there's not even a nip in

or higher. In the nation's capital, where temperatures flirted with the 70s, some cherry trees are already budding — weeks early.

For the Northeast it's one of the warmest and least snowy winters on record, with most of the region's temperatures the last couple months averaging 5 degrees warmer than normal, according to the Northeast Regional Climate Center at Cornell University.

"I am disgusted that golfers are golfing on my cross-country

Matt Dulli, an assistant golf pro at The Golf Club at Yankee Trace in the Dayton, Ohio, suburb of Centerville, said 115 rounds were played Tuesday amid balmy temperatures that reached a high of 60 degrees.

"The first thing you hear out of people's mouths is, 'Can you believe we're playing golf in January?' They're just ecstatic that they can get out at this time of year," Dulli said.

But there is lots of snow and dangerous cold — it's just else-

age — and the state is frigid, with Fort Yukon hitting a record 66 below zero over the weekend.

Nearly 80 people have died from a vicious cold snap in Europe, and much of Asia has been blanketed with snow. January has been the ninth snowiest since 1966 for Europe and Asia, though for the entire northern hemisphere, it's been about average for snow this season.

The weather is so cold that some areas of the Black Sea have frozen near the Romanian coast-

has reported 43 fatalities, many of the victims homeless people found dead on streets. More than 720 other Ukrainians have been hospitalized with hypothermia and frostbite.

The reason is changes in Arctic winds that are redirecting snow and cold. Instead of dipping down low, the jet stream winds that normally bring cold and snow south got trapped up north. It's called the Arctic oscillation. Think of it as a cousin to the famous El Niño.

Bounty

(Continued from A1)

Greg Brooks of Sub Sea Research, in Gorham, Maine, said a wreck in 700 feet of water 50 miles offshore is that of the Port Nicholson, a British vessel sunk in 1942. He said he and his crew positively identified the hull number using an underwater

camera.

Salvage operations should begin this month or in early March aboard a 220-foot vessel called Sea Hunter with the assistance of a remotely operated underwater vessel, he said.

"I'm going to get it, one way or another,

even if I have to lift the ship out of the water," Brooks said.

Brooks said the Port Nicholson was going from Nova Scotia to New York and carrying 71 tons of platinum when it was torpedoed. The platinum was intended as payment from the Soviet Union to the

United States, he said.

A federal court judge has granted him the salvage rights, he said.

Brooks has been in the shipwreck business for nearly 20 years, with his previous biggest find being from a pirate ship near Puerto Rico.

Schools

(Continued from A1)

For now, many district officials are giving a gloomy outlook. Local tax revenues are stagnant, deficits are looming, reserves are shrinking and property tax increases are on the drawing board for next year's budgets — along with the possibility of more painful cutbacks.

"I just hope (Corbett and state lawmakers) look, at a minimum, to level funding and we'll see if we can get by for another year," said Bronson Stone, the superintendent of the approximately 900-student Susquehanna Community School District in northeastern Pennsylvania. "But any further reduction after the massive hit last year, it's uncalled for and we need a set of priorities in this state."

The possibility of more school funding cuts has suburban Pittsburgh parent and Woodland Hills school board member Tara Reis "panic-stricken. I'm beyond afraid. And I'm an optimistic person."

Last year, Corbett and the Legislature approved cuts in aid that, as a percentage, had the effect of drawing the most money away from the poorest districts because

they tend to rely more heavily on state aid.

Administration officials have declined to answer questions about Corbett's upcoming budget proposal, although revenues are lagging projections this year and they say the rising costs for pensions, debt and health care will contribute to an estimated deficit of well over \$500 million next year.

In testimony last week in front of the Senate Education Committee, Education Secretary Ron Tomalis criticized the state's past school funding practice for not diverting state dollars from school districts with shrinking enrollments to those that are growing.

Tomalis also has said that the growth of teachers' ranks in recent years is out of step with dropping public school enrollments statewide, and has suggested that school employees' collective raises of more than \$1 billion since the recession began is excessive.

School funding is especially on lawmakers' minds after a federal judge had to order Corbett to send an advance to the Chester Upland district after teachers pledged to work unpaid and district officials warned

that they would have to shut schools down.

All told this year, Corbett cut about \$360 million, or more than 10 percent, from aid that supports public school instruction and operations.

According to an Associated Press analysis of state data on school budgets, attendance and income, school districts cut their budgets by a total of 3 percent in this school year, or \$414 per student, compared with last year. That's a total of about \$783 million.

Those reductions were deepest in poorer districts. School districts that are in the bottom half of districts in average personal income reduced per-student spending by more than three times as much as the districts in the top half of personal income, according to AP's analysis.

That translates to a reduction of \$696 per student, or 6 percent, to \$13,271 in the poorest half of school districts, versus a reduction of \$192 per student, or 1 percent, in the wealthier half of districts to \$14,869.

The spread was more extreme on the farthest edges of the income spectrum.

219

(Continued from A1)

"It is shovel-ready. I'll be a lot more popular next year than this year and Tom will be a hero. But I won't pull the trigger until we hear either from the state or the

feds. I'm optimistic, but if nothing happens, we'll continue to be maintenance first."

The southern section of the project, from Meyersdale to Maryland, won't be

designed until the secretary knows that construction money will be available. Schoch said he would not be surprised if the House bill isn't passed this year. He believes it will more likely be another extension of the 2005 highway bill. He would also like the federal govern-

ment to give the states more flexibility on tolling roads.

PennDOT's priority is bridges. The average age of the 25,000 bridges in Pennsylvania is 50. Of those, 650 are posted with weight limits, 600 are closed and 5,000 are structurally deficient. Schoch said PennDOT fo-

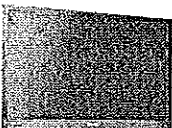
cus on bridges at the expense of paving.

"As much as I like these projects, we have to take care of what's already out there," Schoch said. "In the long term, we need a finance plan to take care of maintenance and to allow for new projects."

Schoch said it is easy for him to tell the governor that the transportation depart-

ment needs more money, but so do all the other departments in state government.

"Write to the governor. I'm your advocate. I'm in meetings saying we have to do this. You all need to be heard, too. He hears from me all the time," Schoch said. "It never hurts to have another letter, another personal visit, if you can."



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