

Magisterial District Reestablishment 2012

Judicial District Summary Sheet

County Name: **Washington**

Judicial District #: **27**

Caseload and Magisterial District Elimination Analysis

The difference between the average annual caseload of Judicial District # 27 and its class of county: **15%**

Note: If the difference is >/= 10% no proposed eliminations or justification is required.

Summary of Proposed Actions

27-1-01	Realign
27-1-02	Reestablish
27-1-03	Reestablish
27-2-01	Reestablish
27-3-01	Reestablish
27-3-02	Reestablish
27-3-03	Reestablish
27-3-05	Realign
27-3-06	Reestablish
27-3-07	Reestablish
27-3-10	Reestablish

Night/Central/Alternate Court Operations

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

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

Central Court accepts certain felony charges and does not impact the criminal filings and resulting workload for the magisterial districts.

Public Comment

Proposal Posted for Public Comment: **Yes** Comments Received: **Yes**

- Solicitor for Council of Borough of East Washington opposes realignment of borough because of the impact on time and travel expenses for police officers and the code enforcement officer who will have to travel an additional 18 miles round trip for court hearings.
- Harry Stiffler, President of the Washington County Bar Association conducted a straw poll of bar membership

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regarding plan - 86% approved plan.

- William P. Pelkey, member of the Centerville Borough Council, expressed upset in the county's submitted proposal to not eliminate any magisterial districts and provided rebuttals to the county's supporting factors for its plan including the impact of Marcellus Shale, class of county rank, hearing record for MDJ Kanalis, construction of a Walmart and the impact of a university on caseload.

- Statistics used for point of comparison remove Cumberland County, which was re-designated as a third class county based on population. Statistics comparing to class of county will not be similar to those provided by the AOPC.

- Business boom with opening of Meadows Casino.

- Caseload anticipated to grow due to Marcellus Shale activity.

- County utilizes four specialty courts - two of them (Mental Health Diversionary Court and Veterans Court) directly involve the MDJ offices.

Magisterial District Reestablishment 2012

County Name: Washington

Judicial District #: 27

Existing and Proposed Magisterial Districts

Magisterial District #: 27-1-01

Proposed Action: Realign

Average Annual Caseload:	9,085	Average Annual Workload:	73,116
% Difference in Caseload (magisterial district/judicial district):	95.00	% Difference in Workload (magisterial district/judicial district):	103.00
% Difference in Caseload (magisterial district/class of county):	124.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

This district is located in and serves the City of Washington which is protected by one police department. Any realignment of the City of Washington would be problematic for police and the citizens they serve. This district also serves North Franklin Township which is where the MDJ resides. East Washington Borough will be realigned and become part of Magisterial District 27-3-05.

Magisterial District Judge & Office Information:

Robert W. Redlinger	Birthdate:	06-23-54
75 East Maiden Street	Mandatory Retirement:	2024
Washington, PA 15301	Term Expires:	1-3-16

Existing Geography:

EAST WASHINGTON VTD 01; EAST WASHINGTON VTD 02; NORTH FRANKLIN TWP VTD 01; NORTH FRANKLIN TWP VTD 02; NORTH FRANKLIN TWP VTD 03; WASHINGTON WD 02 PCT 01; WASHINGTON WD 03 PCT 01; WASHINGTON WD 04; WASHINGTON WD 05 PCT 01; WASHINGTON WD 05 PCT 02; WASHINGTON WD 06 PCT 01; WASHINGTON WD 06 PCT 03; WASHINGTON WD 07 PCT 01; WASHINGTON WD 07 PCT 02; WASHINGTON WD 07 PCT 03; WASHINGTON WD 07 PCT 04; WASHINGTON WD 08 PCT 01

Proposed Geography:

NORTH FRANKLIN TWP VTD 01; NORTH FRANKLIN TWP VTD 02; NORTH FRANKLIN TWP VTD 03; WASHINGTON WD 02 PCT 01; WASHINGTON WD 03 PCT 01; WASHINGTON WD 04; WASHINGTON WD 05 PCT 01; WASHINGTON WD 05 PCT 02; WASHINGTON WD 06 PCT 01; WASHINGTON WD 06 PCT 03; WASHINGTON WD 07 PCT 01; WASHINGTON WD 07 PCT 02; WASHINGTON WD 07 PCT 03; WASHINGTON WD 07 PCT 04; WASHINGTON WD 08 PCT 01

Office within district: Yes

Residence within district: Yes

Existing and Proposed Magisterial Districts

Police Departments: Washington City Police, North Franklin Township, East Washington Police

Major Highways: I-70, I-79, US Rte. 10, US Rte. 40, PA Rte. 18, PA Rte. 136, PA Rte. 844

Existing and Proposed Magisterial Districts

Magisterial District #: 27-1-02

Proposed Action: Reestablish

Average Annual Caseload:	4,686	Average Annual Workload:	44,098
% Difference in Caseload (magisterial district/judicial district):	1.00	% Difference in Workload (magisterial district/judicial district):	22.00
% Difference in Caseload (magisterial district/class of county):	15.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

This district is located in and serves the City of Monongahela which is protected by one police department. Any realignment of the City of Monongahela would be problematic for police and the citizens they serve. The MDJ resides in the City of Monongahela.

Magisterial District Judge & Office Information:

Mark A. Wilson	Birthdate:	5-4-57
604-B Park Avenue	Mandatory Retirement:	2027
Monongahela, PA 15063	Term Expires:	12-31-17

Existing Geography:

CARROLL TWP VTD 01; CARROLL TWP VTD 02; CARROLL TWP VTD 03; CARROLL TWP VTD 04; CARROLL TWP VTD 05; DONORA VTD 01; DONORA VTD 02; DONORA VTD 04; DONORA VTD 05; DONORA VTD 06; DONORA VTD 07; DONORA VTD 09; MONONGAHELA WD 01; MONONGAHELA WD 02 PCT 01; MONONGAHELA WD 02 PCT 03; MONONGAHELA WD 03 PCT 01; MONONGAHELA WD 03 PCT 02; NEW EAGLE VTD 01; NEW EAGLE VTD 02; DONORA VTD 03; DONORA VTD 08

Victory Hill, Eldora, Hazelkirk, Dunkirk, Black Diamond

Proposed Geography:

CARROLL TWP VTD 01; CARROLL TWP VTD 02; CARROLL TWP VTD 03; CARROLL TWP VTD 04; CARROLL TWP VTD 05; DONORA VTD 01; DONORA VTD 02; DONORA VTD 04; DONORA VTD 05; DONORA VTD 06; DONORA VTD 07; DONORA VTD 09; MONONGAHELA WD 01; MONONGAHELA WD 02 PCT 01; MONONGAHELA WD 02 PCT 03; MONONGAHELA WD 03 PCT 01; MONONGAHELA WD 03 PCT 02; NEW EAGLE VTD 01; NEW EAGLE VTD 02; DONORA VTD 03; DONORA VTD 08

Victory Hill, Eldora, Hazelkirk, Dunkirk, Black Diamond

Office within district: Yes

Residence within district: Yes

Police Departments: Carroll Township, Donora, Monongahela

Major Highways: PA Rte. 88, PA Rte. 136, PA Rte. 837, PA Rte. 481, PA Rte. 43

Existing and Proposed Magisterial Districts

Magisterial District #: 27-1-03

Proposed Action: Reestablish

Average Annual Caseload:	4,985	Average Annual Workload:	37,988
% Difference in Caseload (magisterial district/judicial district):	7.00	% Difference in Workload (magisterial district/judicial district):	5.00
% Difference in Caseload (magisterial district/class of county):	23.00		

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

Magisterial District Judge & Office Information:

Larry W. Hopkins

416 Fallowfield Avenue

Charleroi, PA 15022

Birthdate: 4-19-50

Mandatory Retirement: 2020

Term Expires: 1-5-14

Existing Geography:

ALLENPORT Voting District; CHARLEROI VTD 01; CHARLEROI VTD 02; CHARLEROI VTD 03; CHARLEROI VTD 04; CHARLEROI VTD 05; CHARLEROI VTD 06; DUNLEVY Voting District; ELCO Voting District; FALLOWFIELD TWP VTD 01; FALLOWFIELD TWP VTD 02; FALLOWFIELD TWP VTD 03; FALLOWFIELD TWP VTD 04; NORTH CHARLEROI VTD 01; NORTH CHARLEROI VTD 02; ROSCOE Voting District; SPEERS Voting District; STOCKDALE Voting District; TWILIGHT Voting District

Proposed Geography:

ALLENPORT Voting District; CHARLEROI VTD 01; CHARLEROI VTD 02; CHARLEROI VTD 03; CHARLEROI VTD 04; CHARLEROI VTD 05; CHARLEROI VTD 06; DUNLEVY Voting District; ELCO Voting District; FALLOWFIELD TWP VTD 01; FALLOWFIELD TWP VTD 02; FALLOWFIELD TWP VTD 03; FALLOWFIELD TWP VTD 04; NORTH CHARLEROI VTD 01; NORTH CHARLEROI VTD 02; ROSCOE Voting District; SPEERS Voting District; STOCKDALE Voting District; TWILIGHT Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Charleroi, North Charleroi, RESA

Major Highways: I-70, PA Rte. 88, PA Rte. 136, PA Rte. 481, PA Rte. 917

Existing and Proposed Magisterial Districts

Magisterial District #: 27-2-01

Proposed Action: Reestablish

Average Annual Caseload:	4,238	Average Annual Workload:	38,199
% Difference in Caseload (magisterial district/judicial district):	-9.00	% Difference in Workload (magisterial district/judicial district):	6.00
% Difference in Caseload (magisterial district/class of county):	4.00		

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

Magisterial District Judge & Office Information:

David W. Mark

45 East Water Street

Canonsburg, PA 15317

Birthdate: 10-23-59

Mandatory Retirement: 2029

Term Expires: 1-5-14

Existing Geography:

CANONSBURG WD 01 PCT 03; CANONSBURG WD 01 PCT 04; CANONSBURG WD 03 PCT 04; CANONSBURG WD 02 PCT 01; CANONSBURG WD 02 PCT 02; CANONSBURG WD 03 PCT 01; CANONSBURG WD 03 PCT 03; CANTON TWP VTD 01; CANTON TWP VTD 02; CANTON TWP VTD 03; CANTON TWP VTD 04; CANTON TWP VTD 05; CHARTIERS TWP VTD 01; CHARTIERS TWP VTD 02; CHARTIERS TWP VTD 03; CHARTIERS TWP VTD 04; CHARTIERS TWP VTD 05; CHARTIERS TWP VTD 06; CHARTIERS TWP VTD 07; HOUSTON Voting District; CANONSBURG WD 03 PCT 02; CANONSBURG WD 02 PC 03

Not Listed: Meadowlands

Proposed Geography:

CANONSBURG WD 01 PCT 03; CANONSBURG WD 01 PCT 04; CANONSBURG WD 03 PCT 04; CANONSBURG WD 02 PCT 01; CANONSBURG WD 02 PCT 02; CANONSBURG WD 03 PCT 01; CANONSBURG WD 03 PCT 03; CANTON TWP VTD 01; CANTON TWP VTD 02; CANTON TWP VTD 03; CANTON TWP VTD 04; CANTON TWP VTD 05; CHARTIERS TWP VTD 01; CHARTIERS TWP VTD 02; CHARTIERS TWP VTD 03; CHARTIERS TWP VTD 04; CHARTIERS TWP VTD 05; CHARTIERS TWP VTD 06; CHARTIERS TWP VTD 07; HOUSTON Voting District; CANONSBURG WD 03 PCT 02; CANONSBURG WD 02 PC 03

Meadowlands

Office within district: Yes

Residence within district: Yes

Police Departments: Canonsburg, Chartiers Township, Houston

Major Highways: I-79, PA Rte. 18, PA Rte. 519, PA Rte. 980

Existing and Proposed Magisterial Districts

Magisterial District #: 27-3-01

Proposed Action: Reestablish

Average Annual Caseload:	4,417	Average Annual Workload:	27,890
% Difference in Caseload (magisterial district/judicial district):	-5.00	% Difference in Workload (magisterial district/judicial district):	-23.00
% Difference in Caseload (magisterial district/class of county):	9.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

This is a growing area both in population and business development. The workload has been rising in this district every year since 2008.

Magisterial District Judge & Office Information:

James C. Ellis	Birthdate:	11-10-54
Suite 100 453 Valleybrook Road	Mandatory Retirement:	2024
McMurray, PA 15317	Term Expires:	12-31-17

Existing Geography:

FINLEYVILLE Voting District; NOTTINGHAM TWP Voting District; PETERS TWP VTD A 1; PETERS TWP VTD A 2; PETERS TWP VTD A 3; PETERS TWP VTD B 1; PETERS TWP VTD B 2; PETERS TWP VTD B 3; PETERS TWP VTD C 1; PETERS TWP VTD C 2; PETERS TWP VTD C 3; PETERS TWP VTD D 1; PETERS TWP VTD D 2; PETERS TWP VTD D 3; UNION TWP VTD 01; UNION TWP VTD 02; UNION TWP VTD 03; UNION TWP VTD 04; UNION TWP VTD 05; UNION TWP VTD 06; UNION TWP VTD 07

Proposed Geography:

FINLEYVILLE Voting District; NOTTINGHAM TWP Voting District; PETERS TWP VTD A 1; PETERS TWP VTD A 2; PETERS TWP VTD A 3; PETERS TWP VTD B 1; PETERS TWP VTD B 2; PETERS TWP VTD B 3; PETERS TWP VTD C 1; PETERS TWP VTD C 2; PETERS TWP VTD C 3; PETERS TWP VTD D 1; PETERS TWP VTD D 2; PETERS TWP VTD D 3; UNION TWP VTD 01; UNION TWP VTD 02; UNION TWP VTD 03; UNION TWP VTD 04; UNION TWP VTD 05; UNION TWP VTD 06; UNION TWP VTD 07

Office within district: Yes

Residence within district: Yes

Police Departments: Peters Township, Monongahela

Major Highways: US Rte. 19, PA Rte. 88, PA Rte. 136, PA Rte. 9, PA Rte. 837

Existing and Proposed Magisterial Districts

Magisterial District #: 27-3-02

Proposed Action: Reestablish

Average Annual Caseload:	2,627	Average Annual Workload:	20,771
% Difference in Caseload (magisterial district/judicial district):	-44.00	% Difference in Workload (magisterial district/judicial district):	-42.00
% Difference in Caseload (magisterial district/class of county):	-35.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Marcellus Shale drilling activity and a new shopping will increase traffic and retail theft filings. Workload has been steadily increasing over last two years.

Magisterial District Judge & Office Information:

Curtis L. Thompson	Birthdate:	11-24-56
One Beech Street P.O. Box 685	Mandatory Retirement:	2026
Ellsworth, PA 15331	Term Expires:	1-3-16

Existing Geography:

BEALLSVILLE Voting District; BENTLEYVILLE VTD 01; BENTLEYVILLE VTD 02; COKEBURG Voting District; DEEMSTON Voting District; ELLSWORTH Voting District; MARIANNA Voting District; NORTH BETHLEHEM TWP VTD 01; NORTH BETHLEHEM TWP VTD 02; SOMERSET TWP VTD 01; SOMERSET TWP VTD 02; WEST BETHLEHEM TWP Voting District; WEST PIKE RUN TWP VTD 01; WEST PIKE RUN TWP VTD 02

Proposed Geography:

BEALLSVILLE Voting District; BENTLEYVILLE VTD 01; BENTLEYVILLE VTD 02; COKEBURG Voting District; DEEMSTON Voting District; ELLSWORTH Voting District; MARIANNA Voting District; NORTH BETHLEHEM TWP VTD 01; NORTH BETHLEHEM TWP VTD 02; SOMERSET TWP VTD 01; SOMERSET TWP VTD 02; WEST BETHLEHEM TWP Voting District; WEST PIKE RUN TWP VTD 01; WEST PIKE RUN TWP VTD 02

Office within district: Yes

Residence within district: Yes

Police Departments: Beallsville, Southwest Regional, W. Pike Township

Major Highways: I-70, US Rte. 40, PA Rte. 136, PA 519, PA 917

Existing and Proposed Magisterial Districts

Magisterial District #: 27-3-03

Proposed Action: Reestablish

Average Annual Caseload:	3,266	Average Annual Workload:	25,831
% Difference in Caseload (magisterial district/judicial district):	-30.00	% Difference in Workload (magisterial district/judicial district):	-28.00
% Difference in Caseload (magisterial district/class of county):	-20.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

There will be a Walmart opening in this district in 2012 which will increase traffic and retail theft filings. The completion of Toll Road 43 will also bring an increase in traffic filings. California University of Pennsylvania is located in this district and it is expanding and enrollment is increasing. The workload has been increasing in the last few years.

Magisterial District Judge & Office Information:

Joshua P. Kanalis	Birthdate:	6-9-74
685 National Pike West	Mandatory Retirement:	2044
Brownsville, PA 15417	Term Expires:	1-5-14

Existing Geography:

CALIFORNIA VTD 01; CALIFORNIA VTD 02; CALIFORNIA VTD 03; CALIFORNIA VTD 04; CENTERVILLE VTD 01; CENTERVILLE VTD 02; CENTERVILLE VTD 03; CENTERVILLE VTD 04; CENTERVILLE VTD 05; CENTERVILLE VTD 06; COAL CENTER Voting District; EAST BETHLEHEM TWP WD 01; EAST BETHLEHEM TWP WD 02; EAST BETHLEHEM TWP WD 03; EAST BETHLEHEM TWP WD 04; LONG BRANCH Voting District; WEST BROWNSVILLE VTD 01; WEST BROWNSVILLE VTD 02; CALIFORNIA VTD 05

Not Listed: Richeyville, Fredericktown

Proposed Geography:

CALIFORNIA VTD 01; CALIFORNIA VTD 02; CALIFORNIA VTD 03; CALIFORNIA VTD 04; CENTERVILLE VTD 01; CENTERVILLE VTD 02; CENTERVILLE VTD 03; CENTERVILLE VTD 04; CENTERVILLE VTD 05; CENTERVILLE VTD 06; COAL CENTER Voting District; EAST BETHLEHEM TWP WD 01; EAST BETHLEHEM TWP WD 02; EAST BETHLEHEM TWP WD 03; EAST BETHLEHEM TWP WD 04; LONG BRANCH Voting District; WEST BROWNSVILLE VTD 01; WEST BROWNSVILLE VTD 02; CALIFORNIA VTD 05

Richeyville, Fredericktown

Office within district: Yes

Residence within district: Yes

Police Departments: Southwest Regional, California, California University, Centerville, East Bethlehem, West Brownsville

Major Highways: PA Rte. 88, PA Rte. 481, PA Rte. 43

Existing and Proposed Magisterial Districts

Magisterial District #: 27-3-05

Proposed Action: Realign

Average Annual Caseload:	6,248	Average Annual Workload:	40,959
% Difference in Caseload (magisterial district/judicial district):	34.00	% Difference in Workload (magisterial district/judicial district):	14.00
% Difference in Caseload (magisterial district/class of county):	54.00		

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

Magisterial District Judge & Office Information:

Jay H. Weller

1929-A Route 519 South

Canonsburg, PA 15317

Birthdate: 4-28-54

Mandatory Retirement: 2024

Term Expires: 12-31-17

Existing Geography:

NORTH STRABANE TWP VTD 01; NORTH STRABANE TWP VTD 02; NORTH STRABANE TWP VTD 03; NORTH STRABANE TWP VTD 04; NORTH STRABANE TWP VTD 05; NORTH STRABANE TWP VTD 06; SOUTH STRABANE TWP VTD 01; SOUTH STRABANE TWP VTD 02; SOUTH STRABANE TWP VTD 03; SOUTH STRABANE TWP VTD 04; SOUTH STRABANE TWP VTD 05

Not Listed: Strabane

Proposed Geography:

EAST WASHINGTON VTD 01; EAST WASHINGTON VTD 02; NORTH STRABANE TWP VTD 01; NORTH STRABANE TWP VTD 02; NORTH STRABANE TWP VTD 03; NORTH STRABANE TWP VTD 04; NORTH STRABANE TWP VTD 05; NORTH STRABANE TWP VTD 06; SOUTH STRABANE TWP VTD 01; SOUTH STRABANE TWP VTD 02; SOUTH STRABANE TWP VTD 03; SOUTH STRABANE TWP VTD 04; SOUTH STRABANE TWP VTD 05

Strabane

Office within district: Yes

Residence within district: Yes

Police Departments: North Strabane, South Strabane

Major Highways: I-70, I-79, US 19, US 40, PA Rte. 136, PA Rte. 519, PA Rte. 980

Existing and Proposed Magisterial Districts

Magisterial District #: 27-3-06

Proposed Action: Reestablish

Average Annual Caseload:	4,321	Average Annual Workload:	27,999
% Difference in Caseload (magisterial district/judicial district):	-7.00	% Difference in Workload (magisterial district/judicial district):	-22.00
% Difference in Caseload (magisterial district/class of county):	6.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

This is a growing area both in population and business development. The workload in this district has doubled since 2005.

Magisterial District Judge & Office Information:

Valarie S. Costanzo	Birthdate:	12-15-69
3655 Millers Run Road, Suite 101	Mandatory Retirement:	2039
Cecil, PA 15321	Term Expires:	12-31-17

Existing Geography:

CECIL TWP VTD 01; CECIL TWP VTD 02; CECIL TWP VTD 03; CECIL TWP VTD 04; CECIL TWP VTD 05; CECIL TWP VTD 06; MC DONALD Voting District; MT. PLEASANT TWP VTD 01; MT. PLEASANT TWP VTD 02; MT. PLEASANT TWP VTD 03; MT. PLEASANT TWP VTD 04; ROBINSON TWP VTD 01; ROBINSON TWP VTD 02; ROBINSON TWP VTD 03
Not Listed: Hickory

Proposed Geography:

CECIL TWP VTD 01; CECIL TWP VTD 02; CECIL TWP VTD 03; CECIL TWP VTD 04; CECIL TWP VTD 05; CECIL TWP VTD 06; MC DONALD Voting District; MT. PLEASANT TWP VTD 01; MT. PLEASANT TWP VTD 02; MT. PLEASANT TWP VTD 03; MT. PLEASANT TWP VTD 04; ROBINSON TWP VTD 01; ROBINSON TWP VTD 02; ROBINSON TWP VTD 03
Hickory

Office within district: Yes

Residence within district: Yes

Police Departments: Cecil, McDonald, Mt. Pleasant

Major Highways: I-70, I-79, US Rte. 19, US Rte. 40, PA Rte. 136, PA Rte. 519, PA Rte. 980, PA Rte. 50

Existing and Proposed Magisterial Districts

Magisterial District #: 27-3-07

Proposed Action: Reestablish

Average Annual Caseload:	3,983	Average Annual Workload:	36,568
% Difference in Caseload (magisterial district/judicial district):	-14.00	% Difference in Workload (magisterial district/judicial district):	1.00
% Difference in Caseload (magisterial district/class of county):	-2.00		

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

Magisterial District Judge & Office Information:

Gary H. Havelka

Birthdate: 5-3-60

Suite 3 2038 Smith Township State Road

Mandatory Retirement: 2030

Burgettstown, PA 15021

Term Expires: 12-31-17

Existing Geography:

BURGETTSTOWN Voting District; CROSS CREEK TWP VTD 01; CROSS CREEK TWP VTD 02; CROSS CREEK TWP VTD 03; HANOVER TWP VTD 01; HANOVER TWP VTD 02; JEFFERSON TWP Voting District; MIDWAY Voting District; SMITH TWP VTD 01; SMITH TWP VTD 02; SMITH TWP VTD 03; SMITH TWP VTD 04; SMITH TWP VTD 05; SMITH TWP VTD 06; SMITH TWP VTD 07; CROSS CREEK TWP VTD 04

Proposed Geography:

BURGETTSTOWN Voting District; CROSS CREEK TWP VTD 01; CROSS CREEK TWP VTD 02; CROSS CREEK TWP VTD 03; HANOVER TWP VTD 01; HANOVER TWP VTD 02; JEFFERSON TWP Voting District; MIDWAY Voting District; SMITH TWP VTD 01; SMITH TWP VTD 02; SMITH TWP VTD 03; SMITH TWP VTD 04; SMITH TWP VTD 05; SMITH TWP VTD 06; SMITH TWP VTD 07; CROSS CREEK TWP VTD 04

Office within district: Yes

Residence within district: Yes

Police Departments: Jefferson, Smith, McDonald

Major Highways: US Rte. 22, PA Rte. 18

Existing and Proposed Magisterial Districts

Magisterial District #: 27-3-10

Proposed Action: Reestablish

Average Annual Caseload:	3,346	Average Annual Workload:	23,274
% Difference in Caseload (magisterial district/judicial district):	-28.00	% Difference in Workload (magisterial district/judicial district):	-35.00
% Difference in Caseload (magisterial district/class of county):	-18.00	<i>Workload outside of a +/- 15% range requires realignment or support to maintain current configuration.</i>	

Marcellus Shale drilling and related filings (including traffic) is increasing in this district. There was a significant filing increase in 2010 and there were 154 well permits issued. There were 250 well permits issued in 2011 and another significant filing increase. Most of the additional traffic filings were Motor Carrier violations which require a more considerable amount of bench time as compared to a traffic violation.

Magisterial District Judge & Office Information:

Ethan T. Ward	Birthdate:	03-19-71
Suite C 200 Buffalo Center Lane	Mandatory Retirement:	2041
Washington, PA 15301	Term Expires:	1-3-16

Existing Geography:

AMWELL TWP VTD 01; AMWELL TWP VTD 02; BLAINE TWP Voting District; BUFFALO TWP Voting District; CLAYSVILLE Voting District; DONEGAL TWP VTD 01; DONEGAL TWP VTD 02; EAST FINLEY TWP VTD 01; EAST FINLEY TWP VTD 02; GREEN HILLS Voting District; HOPEWELL TWP Voting District; INDEPENDENCE TWP VTD 01; INDEPENDENCE TWP VTD 02; MORRIS TWP Voting District; SOUTH FRANKLIN TWP VTD 01; SOUTH FRANKLIN TWP VTD 02; WEST ALEXANDER Voting District; WEST FINLEY TWP VTD 01; WEST FINLEY TWP VTD 02; WEST MIDDLETOWN Voting District

Proposed Geography:

AMWELL TWP VTD 01; AMWELL TWP VTD 02; BLAINE TWP Voting District; BUFFALO TWP Voting District; CLAYSVILLE Voting District; DONEGAL TWP VTD 01; DONEGAL TWP VTD 02; EAST FINLEY TWP VTD 01; EAST FINLEY TWP VTD 02; GREEN HILLS Voting District; HOPEWELL TWP Voting District; INDEPENDENCE TWP VTD 01; INDEPENDENCE TWP VTD 02; MORRIS TWP Voting District; SOUTH FRANKLIN TWP VTD 01; SOUTH FRANKLIN TWP VTD 02; WEST ALEXANDER Voting District; WEST FINLEY TWP VTD 01; WEST FINLEY TWP VTD 02; WEST MIDDLETOWN Voting District

Office within district: Yes

Residence within district: Yes

Police Departments: Donegal

Major Highways: I-70, I-79, US Rte. 19, US Rte. 40

Magisterial District Reestablishment 2012

Magisterial District Caseload/Workload Analysis

Judicial District and Class of County Comparison Statistics

Washington / 27

Judicial District Average Caseload			
2011 Class	2011 Filings	2012 Class	2012 Filings
4	4,655	4	4,655

2011 Class of County Caseload Averages								
2011 Class	CR	PC	TR	NT	CV	LT	MD	Total
4	404	176	2,697	724	250	97	58	4,407

2012 Class of County Caseload Averages								
2012 Class	CR	PC	TR	NT	CV	LT	MD	Total
4	392	141	2,635	733	262	92	66	4,320

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		
Washington	2011	2012
Class	4	4
CR	362	362
NT	811	811
PC	230	230
TR	2,898	2,898
CV	218	218
LT	105	105
MD	31	31
AVG	4,655	4,655

Judicial District Workload Averages		
Washington	2011	2012
Class	4	4
CR	13,287	13,287
NT	8,713	8,713
PC	2,467	2,467
TR	6,608	6,608
CV	2,456	2,456
LT	1,513	1,513
MD	1,021	1,021
-15 % Workload	30,655	30,655
Average Workload	36,065	36,065
+ 15% Workload	41,475	41,475

Magisterial District Caseload/Workload Analysis

27-1-01 Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
9,085	2011	2012

Magisterial District Average: Judicial District Average:

95	95.18%	95.18%
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Magisterial District Average: Class of County Average:

124	106.16%	110.29%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
73,116	2011	2012

Magisterial District Average: Judicial District Average:

103	102.73%	102.73%
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27-1-02 Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
4,686	2011	2012

Magisterial District Average: Judicial District Average:

1	0.67%	0.67%
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Magisterial District Average: Class of County Average:

15	6.34%	8.47%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
44,098	2011	2012

Magisterial District Average: Judicial District Average:

22	22.27%	22.27%
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Magisterial District Caseload/Workload Analysis

27-1-03

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
4,985		

Magisterial District Average: Judicial District Average:

7	7.10%	7.10%
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Magisterial District Average: Class of County Average:

23	13.12%	15.39%
----	--------	--------

WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
37,988		

Magisterial District Average: Judicial District Average:

5	5.33%	5.33%
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27-2-01

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
4,238		

Magisterial District Average: Judicial District Average:

-9	-8.95%	-8.95%
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Magisterial District Average: Class of County Average:

4	-3.83%	-1.90%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
38,199		

Magisterial District Average: Judicial District Average:

6	5.92%	5.92%
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27-3-01

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
4,417		

Magisterial District Average: Judicial District Average:

-5	-5.11%	-5.11%
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Magisterial District Average: Class of County Average:

9	0.23%	2.24%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
27,890		

Magisterial District Average: Judicial District Average:

-23	-22.67%	-22.67%
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Magisterial District Caseload/Workload Analysis

27-3-02

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
2,627		

Magisterial District Average: Judicial District Average:

-44	-43.56%	-43.56%
-----	---------	---------

Magisterial District Average: Class of County Average:

-35	-40.39%	-39.19%
-----	---------	---------

WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
20,771		

Magisterial District Average: Judicial District Average:

-42	-42.41%	-42.41%
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27-3-03

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
3,266		

Magisterial District Average: Judicial District Average:

-30	-29.83%	-29.83%
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Magisterial District Average: Class of County Average:

-20	-25.89%	-24.40%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
25,831		

Magisterial District Average: Judicial District Average:

-28	-28.38%	-28.38%
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27-3-05

Realign

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
6,248		

Magisterial District Average: Judicial District Average:

34	34.23%	34.23%
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Magisterial District Average: Class of County Average:

54	41.78%	44.63%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
40,959		

Magisterial District Average: Judicial District Average:

14	13.57%	13.57%
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Magisterial District Caseload/Workload Analysis

27-3-06

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
4,321		

Magisterial District Average: Judicial District Average:

-7	-7.17%	-7.17%
----	--------	--------

Magisterial District Average: Class of County Average:

6	-1.95%	0.02%
---	--------	-------

WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
27,999		

Magisterial District Average: Judicial District Average:

-22	-22.36%	-22.36%
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27-3-07

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
3,983		

Magisterial District Average: Judicial District Average:

-14	-14.43%	-14.43%
-----	---------	---------

Magisterial District Average: Class of County Average:

-2	-9.62%	-7.80%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
36,568		

Magisterial District Average: Judicial District Average:

1	1.40%	1.40%
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27-3-10

Reestablish

CASELOAD

Average Total Annual Caseload:

Reported	AOPC	
	2011	2012
3,346		

Magisterial District Average: Judicial District Average:

-28	-28.11%	-28.11%
-----	---------	---------

Magisterial District Average: Class of County Average:

-18	-24.07%	-22.55%
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WORKLOAD

Average Total Annual Workload:

Reported	AOPC	
	2011	2012
23,274		

Magisterial District Average: Judicial District Average:

-35	-35.47%	-35.47%
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JUDGE'S CHAMBERS
COURT OF COMMON PLEAS OF WASHINGTON COUNTY
TWENTY-SEVENTH JUDICIAL DISTRICT OF PENNSYLVANIA
WASHINGTON, PA 15301

724-228-6830

DEBBIE O'DELL SENECA
PRESIDENT JUDGE

March 30, 2012

Joseph Mittleman, Director
Judicial Programs, AOPC
1515 Market Street
Philadelphia, PA 19101

In Re: 27th Judicial District MDJ Realignment

Dear Mr. Mittleman:

Please find enclosed the 27th Judicial District formal plan to realign our Magisterial District Judge offices. A close review of case filings and workload revealed that Washington County is second among all fourth class counties in the Commonwealth of Pennsylvania. We would like to point out that if the workload and caseload for the year 2011 had been included in the formula, Washington County would be higher because case filings increased in criminal and civil.

There are several factors that contributed to our proposed plan. First, Washington County is one of the few counties in Pennsylvania that has grown in population since the 2000 census. Second, there has been a business boom with the opening of the Meadows Casino and the expansion of our Southpointe development. In fact, Southpointe II is currently under construction and already completely sold out. Third, the impact of Marcellus Shale has been enormous, not only at the MDJ level but in the Court of Common Pleas of Washington County. Criminal cases are at an all-time high, civil cases directly involved with Marcellus Shale are up, and non-traffic violations at the MDJ level have exploded. Fourth, our county currently has four Specialty Courts and two of them, being Mental Health Diversionary Court and Veterans Court, directly involve our MDJ offices. Finally, there is a housing shortage in the Washington area.

Per your requirements, the plan was made available for public view and comment on our website, www.washingtoncourts.us, and placed in the Washington County Law Library, Prothonotary's office and the Clerk of Courts office. Yesterday was the 30-day deadline for public comment and we received none. However, the East Washington Borough solicitor sent correspondence in opposition to realigning their borough from

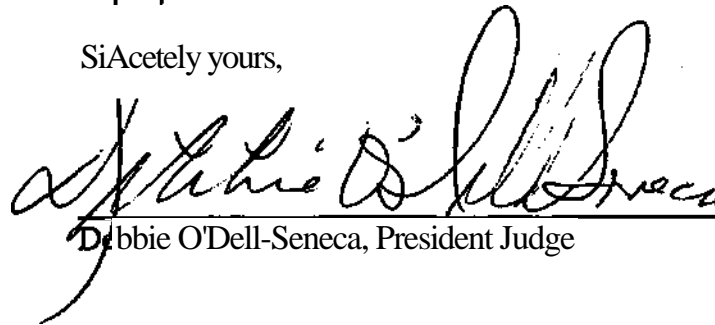
27-1-01 (MDJ Redlinger) to 27-3-05 (MDJ Weller) because their police will be forced to travel farther. That letter is attached to the plan.

Attorney Harry Stiffler, President of the Washington County Bar Association, offered to conduct a straw poll of the Bar membership relative to this proposed plan. Of those members responding, 86 percent voted "Yes" in support of the 27th Judicial District Court's plan to maintain all 11 current MDJs.

Thank you for extending our deadline to today. If Chief Justice Castille or your office requires anything further fholffo me, please do not hesitate to call.

I - I

SiAcetely yours,

A handwritten signature in black ink, appearing to read "Debbie O'Dell-Seneca". The signature is written in a cursive style with a large, looping initial "D".

Debbie O'Dell-Seneca, President Judge

DOSxb
Enclosure



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:	27
A. What is the class of county?	4
B. What is the percentage difference in the average annual caseload between this judicial district and the applicable class of county?	15*%
II. PROPOSED ACTIONS:	
A. List existing magisterial districts: 27-1-01; 27-1-02; 27-1-03; 27-2-01; 27-3-01; 27-3-02; 27-3-03; 27-3-05; 27-3-06; 27-3-07; 27-3-10	
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. 27-1-02; 27-1-03; 27-2-01; 27-3-01; 27-3-02; 27-3-03; 27-3-06; 27-3-07; 27-3-10	
D. Are any magisterial districts proposed for realignment?	YES
1. List magisterial districts proposed for realignment. 27-1-01; 27-3-05	

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. The Central Court system in Washington County only accepts certain felony charges (homicide, rape, involuntary deviate sexual intercourse, perjury, arson, armed robbery, and all cases in which homicide by vehicle is charged). Our Central Court system does not impact the criminal filings/workload figures within the Washington County magisterial districts.	
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:	
*Cumberland County, on June 10, 2011, was de facto a 3 rd class county and has been renamed per the Governor. Thus Cumberland County's statistics were not included in our plan. See attached.	
VI. DATE SUBMITTED TO AOPC:	03/30/2012
VII. PRESIDENT JUDGE NAME:	Debbie O'Dell Seneca
_____ Signature	



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 (#####):	27101
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	9,085
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	95%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	124%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	73116
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	103%
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>This district is located in and serves the City of Washington which is protected by one police department. Any realignment of the City of Washington would be problematic for police and the citizens they serve. This district also serves North Franklin Township which is where the MDJ resides. East Washington Borough will be realigned and become part of Magisterial District 27-3-05.</p>	
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):	01/01/2013



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

V. MAGISTERIAL DISTRICT INFORMATION:
A. Magisterial District Judge Name: Robert Redlinger
B. Term Expiration (m/d/yyyy): 1/13/2016
C. Mandatory Retirement Date (m/d/yyyy): 6/23/2024
D. Office Location (Street, City and Zip code): 75 E. Maiden Street Washington 15301
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: Washington City Police, North Franklin Township, East Washington Police
H. List any major highways within this magisterial district: I-70, I-79, US RT 10, US RT 40, PA RT 18, PA RT 136, PA RT 844
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: City Of Washington, East Washington Borough, North Franklin Township
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: City Of Washington, North Franklin Township
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 (#####):	27102
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	4686
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	1%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	15%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	44098
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.	<p>If YES, how does this difference impact workload equity within your judicial district?</p> <p>This district is located in and serves the City of Monongahela which is protected by one police department. Any realignment of the City of Monongahela would be problematic for police and the citizens they serve. The MDJ resides in the City of Monongahela. This district also serves Donora Borough where the Marcellus Shale drilling is increasing.</p>	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

V. MAGISTERIAL DISTRICT INFORMATION:
A. Magisterial District Judge Name: Mark Wilson
B. Term Expiration (m/d/yyyy): 01-01-2012
C. Mandatory Retirement Date (m/d/yyyy): 05-04-2027
D. Office Location (Street, City and Zip code): 604b Park Avenue Monongahela 15063
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: Carroll Township, Donora, Monongahela
H. List any major highways within this magisterial district: PA RT 88, PA RT 136, PA RT 837, PA RT 481, PA RT 43
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: City Of Monongahela, Donora Borough, New Eagle Borough, Carroll Township, Victory Hill, Eldora, Hazelkirk, Dunkirk, Black Diamond
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:
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 (#####):	27103
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	4985
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	7%
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:	37988
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	5%
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 type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Larry Hopkins	
B.	Term Expiration (m/d/yyyy):	01-15-2014



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (<i>m/d/yyyy</i>):	4-19-2020
D. Office Location (Street, City and Zip code):	416 Fallowfield Avenue Charleroi 15022
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:	Charleroi, N. Charleroi, RESA
H. List any major highways within this magisterial district:	I 70, PA RT 88, PA RT 136, PA RT 481, PA RT 917
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Charleroi Borough, N. Charleroi Borough, Allenport Borough, Speers Borough, Dunlevy Borough, Roscoe Borough, Fallowfield Township
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
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 (#####):	27201
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	4238
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-9%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	4%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	38199
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	6%
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 type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: David Mark	
B.	Term Expiration (m/d/yyyy):	01-15-2014



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (<i>m/d/yyyy</i>):	10-23-2029
D. Office Location (Street, City and Zip code):	45 E. Water Street Canonsburg 15317
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:	Canonsburg, Chartiers Township, Houston
H. List any major highways within this magisterial district:	I 79, PA RT 18, PA RT 519, PA RT 980
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Canonsburg Borough, Canton Township, Houston Borough, Chartiers Township, Meadowlands
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
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 (#####):	27301
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	4417
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-5%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	9%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	27890
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-23%
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? This is a growing area both in population and business development. The workload has been rising in this district every year since 2008 and with Marcellus Shale drilling on the horizon it will most likely continue to increase.	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: James Ellis	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

B. Term Expiration (m/d/yyyy):	01/01/2012
C. Mandatory Retirement Date (m/d/yyyy):	11-10-2024
D. Office Location (Street, City and Zip code):	453 Valleybrook Road, Suite 100 McMurray 15317
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:	Peters Township, Monongahela
H. List any major highways within this magisterial district:	US RT 19, PA RT 88, PA RT 136, PA RT 9, PA RT 837
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Finleyville Borough, Union Township, Peters Township, Nottingham Township,
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
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 (#####):	27302
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	2627
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-44%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-35%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	20771
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-42%
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>Marcellus Shale drilling is increasing in this district. A new shopping plaza is being built in the Bentleyville area which will increase traffice and retail theft filings. There is currently interstate highway construction on three bridges in the district which will allow more traffic flow and an increase in traffic filings. The workload has been increasing the past two years.</p>	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

V. MAGISTERIAL DISTRICT INFORMATION:	
A. Magisterial District Judge Name:	Curtis Thompson
B. Term Expiration (m/d/yyyy):	01-03-2016
C. Mandatory Retirement Date (m/d/yyyy):	11-24-2026
D. Office Location (Street, City and Zip code):	P O Box 685, One Beech Street Ellsworth 15331
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:	Beallsville, Southwest Regional, W. Pike Township
H. List any major highways within this magisterial district:	I 70, US RT 40, PA RT 136, PA 519, PA 917
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
Beallsville Borough, Bentleyville Borough, Deemston Borough, N.Bethlehem Township, Somerset Township, Ellsworth Borough, Cokeburg Borough, Marianna Borough, W. Bethlehem Township, West Pike Run Township	
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
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 (#####):	27303
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	3266
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-30%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-20%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	25831
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-28%
C.	Does this magisterial district have an average total workload that is fifteen percent <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? Marcellus Shale drilling is increasing in this district. There will be a Walmart opening in this district in 2012 which will increase traffic and retail theft filings. The completion of Toll Road 43 will also bring an increase in traffic filings. California University of Pennsylvania is located in this district and it is expanding and enrollment is increasing. The workload has been increasing in the last few years.	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

V. MAGISTERIAL DISTRICT INFORMATION:	
A. Magisterial District Judge Name:	Joshua Kanalis
B. Term Expiration (m/d/yyyy):	01-05-2014
C. Mandatory Retirement Date (m/d/yyyy):	06-09-2044
D. Office Location (Street, City and Zip code):	685 National Pike West Brownsville 15417
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:	Southwest Regional, California, California University, Centerville, E. Bethlehem, W. Brownsville
H. List any major highways within this magisterial district:	PA RT 88, PA RT 481, PA RT 43
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	
California Borough, W. Brownsville Borough, Coal Center Borough, Centerville Borough, E. Bethlehem Township, Richeyville, Fredericktown	
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
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 (#####):	27305
II.	BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD	
A.	Average Total Caseload:	6248
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	34%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	54%
III.	BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD	
A.	Average Total Workload:	40959
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	14%
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):	01/01/2013
V.	MAGISTERIAL DISTRICT INFORMATION:	
A.	Magisterial District Judge Name: Jay Weller	
B.	Term Expiration (m/d/yyyy):	01-01-2012



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (<i>m/d/yyyy</i>):	05-04-2027
D. Office Location (Street, City and Zip code):	1929a, Route 519 Canonsburg 15317
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:	North Strabane, South Strabane
H. List any major highways within this magisterial district:	I 70, I 79, US 19, US 40, PA RT 136, PA RT 519, PA RT 980
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	North Strabane Township, South Strabane Township, Strabane
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	North Strabane Township, South Strabane Township, Strabane, East Washington Borough
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 (#####):	27306
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	4321
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-7%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	6%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	27999
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? Marcellus Shale drilling is increasing in this district. This is a growing area both in population and business development. The workload in this district has doubled since 2005.	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Valarie S. Costanzo	



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

B. Term Expiration (m/d/yyyy):	01-01-2012
C. Mandatory Retirement Date (m/d/yyyy):	12-15-2039
D. Office Location (Street, City and Zip code):	3655 Millers Run Road Cecil 15321
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:	Cecil, McDonald, Mt. Pleasant
H. List any major highways within this magisterial district:	I 70, I 79, US RT 19, US RT 40, PA RT 136, PA RT 519, PA RT 980, PA RT 50
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Mcdonald Borough, Cecil Township, Robinson Township, Hickory, Mt. Pleasant Township
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
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 (#####):	27307
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	3983
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:	-2%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	36568
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	1%
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 type="checkbox"/> Realign <input type="checkbox"/> Eliminate
B.	What is the proposed effective date (m/d/yyyy):	01/01/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Gary Havelka	
B.	Term Expiration (m/d/yyyy):	01-01-2010



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

C. Mandatory Retirement Date (<i>m/d/yyyy</i>):	05-03-2030
D. Office Location (Street, City and Zip code):	2038 Smith Twp. State Road Burgettstown 15021
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:	Jefferson, Smith, McDonald,
H. List any major highways within this magisterial district:	US RT 22, PA RT 18
VI. LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES:	Burgettstown Borough, Smith Township, Jefferson Township, Hanover Township, Midway Borough, Cross Creek Township
VII. LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES:	
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 (#####):	27310
II. BREAKDOWN OF MAGISTERIAL DISTRICT - CASELOAD		
A.	Average Total Caseload:	3346
B.	Difference (%) between this magisterial district's average total caseload and your judicial district's average total caseload:	-28%
C.	Difference (%) between this magisterial district's average total caseload and applicable class of county's average total caseload:	-18%
III. BREAKDOWN OF MAGISTERIAL DISTRICT - WORKLOAD		
A.	Average Total Workload:	23274
B.	Difference (%) between this magisterial district's average total workload and the judicial district's average total workload:	-35%
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>Marcellus Shale drilling is increasing in this district. There was a significant filing increase in 2010 and there were 154 well permits issued. There were 250 well permits issued in 2011 and another significant filing increase. The traffic filings of 2011 have increased over the 2010 traffic filings due to traffic associated with Marcellus Shale drilling. Most of the additional traffic filings were Motor Carrier violations which require a more considerable amount of bench time as compared to a traffic violation.</p>	
IV. PROPOSED CHANGE:		
A.	Please indicate any proposed change in this magisterial district. Check all that apply.	<input checked="" type="checkbox"/> Reestablish <input type="checkbox"/> Realign <input type="checkbox"/> Eliminate



MAGISTERIAL DISTRICT REESTABLISHMENT WORKSHEET

B.	What is the proposed effective date (m/d/yyyy):	01/01/2013
V. MAGISTERIAL DISTRICT INFORMATION:		
A.	Magisterial District Judge Name: Ethan T. Ward	
B.	Term Expiration (m/d/yyyy):	01-13-2016
C.	Mandatory Retirement Date (m/d/yyyy):	03-19-2041
D.	Office Location (Street, City and Zip code):	200 Buffalo Center Lane, Suite C Washington 15301
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: Donegal	
H.	List any major highways within this magisterial district: I 70, I 79, US RT 19, US RT 40	
VI.	LIST EXISTING MAGISTERIAL DISTRICT MUNICIPALITIES: Claysville Borough, Amwell Township, Buffalo Township, S. Franklin Township, E. Finley Township, Blaine Township, W. Finley Township, West Alexander Borough, Donegal Township, Morris Township, Green Hills Borough, Independence Township, W. Middletown Borough, Hopewell Township	
VII.	LIST PROPOSED MAGISTERIAL DISTRICT MUNICIPALITIES: 	
VIII.	ADDITIONAL COMMENTS: 	
PLEASE SAVE A COPY OF THIS WORKSHEET PRIOR TO ENTERING DATA FOR THE NEXT MAGISTERIAL DISTRICT.		

PUBLIC NOTICE

The Pennsylvania Supreme Court mandates that the County of Washington undertake a review of the Magisterial District boundary lines no less than once every ten (10) years. The general purpose of this undertaking is to review changes in case load filings and then, if deemed necessary, to make modifications to the magisterial district boundary lines. The purpose of the modifications is to reduce large fluctuations in case loads among district courts within the County.

The Twenty-Seventh Judicial District (Washington County) has completed its initial review. As required by the guidelines of the Pennsylvania Supreme Court, the plan is being made available to the citizens of Washington County for public comment. Same can be found on the Court web-site (www.washingtoncourts.us), the Courthouse Law Library, and in the offices of the Clerk of Courts and Prothonotary. All comments must be submitted in writing (no e-mails or phone calls) by Thursday, March 29, 2012, to

**Sally Michalski Special Courts
Administrator Washington County
Courthouse Court Administrator's
Office 1S. Main Street, Suite 2004
Washington, PA 15301**

District judges' caseloads increase

Mandated review shows jump in cases since Marcellus Shale boom

BY KATHIE O.WARCO

Staff writer

kwarcoticbobserver-reporter.com

The Marcellus Shale gas industry may be having an impact on Washington County that was not foreseen.

In the last year, the caseload handled by local district judges has increased. And that increase may be enough to allow all 11 district judges in the county to keep their offices open.

President Judge Debbie O'Dell Seneca has drafted a plan that will be sent to the state Supreme Court that calls for realigning two of the offices and maintaining the other nine offices.

The upper court mandates that counties review the boundary lines of the offices at least once every 10 years. The purpose is to review changes in caseload filings and make modifications in the boundary lines to reduce large fluctuations in caseloads among district courts in the county.

O'Dell Seneca said the state's chief justice initially wanted to close about 50 magisterial district judge officers across the state. About half of those offices were closed by attrition.

"We were asked to look at our district judge offices to see if any of the judges were close to retirement so a position could be eliminated," O'Dell Seneca said. "But none of our judges are close to retirement."

The judges were directed to look at the five-year period prior to 2011. But the caseload for the district judges increased in 2011 with signs that trend will continue this year. O'Dell Seneca said the county's filings rank second among fourth-class counties in the state.

"We are in a unique position," O'Dell Seneca said. "Our numbers were even bigger last year, and we expect to continue to increase because of the Marcellus Shale industry and impacts of developments like Southpointe II."

The numbers are bigger across the board from criminal cases to civil lawsuits and landlord-tenant disputes.

In the proposal, the offices of District Judges Robert Redlinger and Jay Weller will be realigned. East Washington, which is now covered by Redlinger, would be assigned to Weller, who also handles cases in North and South Strabane townships.

"Redlinger's numbers were off the charts," O'Dell Seneca said. "We were looking at the possibility of realigning his office. But since he lives in North Franklin, we couldn't take that off of him."

"Since the districts are required to be contiguous, we couldn't move East Washington to another judge such as Ethan Ward," she added. "Judge Weller agreed to take East Washington."

O'Dell Seneca said the only other alternative would have been to divide North Franklin.

The plan is available for public view and comment and www.washinqtoncourts.us. the courthouse law library and the offices of the clerk of courts and prothonotary.

All comments on the proposal must be submitted in writing by March 29. Comments will be not be accepted via email or telephone.

The county will send the plan to the state March 30. O'Dell is not certain when the county will hear back from the state.

"But I feel very comfortable," she said of the proposal.

Comments can be sent to Sally Michalski, Special Courts Administrator, Washington County Courthouse, Court Administrator's Office, 1 S. Main St., Suite 2004, Washington, PA 15301.

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PUBLIC NOTICE The Pennsylvania Supreme Court mand ...

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Description:

PUBLIC NOTICE The Pennsylvania Supreme Court mandates that the County of Washington undertake a review of the Magisterial District boundary lines no less than once every ten (10) years. The general purpose of this undertaking is to review changes in case load filings and then, if deemed necessary, to make modifications to the magisterial district boundary lines. The purpose of the modifications is to reduce large fluctuations in case loads among district courts within the County. The Twenty-Seventh Judicial District (Washington County) has completed its initial review. As required by the guidelines of the Pennsylvania Supreme Court, the plan is being made available to the citizens of Washington County for public comment. Same can be found on the Court website (www.washingtoncourts.us), the Courthouse Law Library, and in the offices of the Clerk of Courts and Prothonotary. All comments must be submitted in writing (no emails or phone calls) by Thursday, March 29, 2012, to: Sally Michalski Special Courts Administrator Washington County Courthouse Court Administrator's Office 1 S. Main Street, Suite 2004 Washington, PA 15301 3/3

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STEPHEN D. MARRINER (1917-1993)
CLARENCE A. CRUMRINE (1945-1993)

March 27, 2012

Ms. Sally Michalski Special Court
Administrator Washington County
Courthouse Court Administrator's
Office 1 South Main Street - Suite
2004 Washington. PA 15301

In re: Realignment of Magisterial Districts

Dear Ms. Michalski:

I am solicitor for Council of the Borough of East Washington.

Borough Council has directed me to write this letter stating its opposition to the proposed realignment of the magisterial districts whereby the Borough will be removed from Magisterial District Judge Robert Redlinger's jurisdiction and assigned to Magisterial District Judge Jay Weller in North Strabane Township.

Obviously the proposal, if implemented, would involve additional travel expenses for Borough police officers who must attend court hearings. What is now a 2-mile round trip to Judge Redlinger's office will become a 20-mile round trip to Judge Weller's. But more importantly, the additional travel time for our police officers means an extended period in which our police force is depleted and we will have to look to police departments from neighboring municipalities, such as South Strabane Township, to cover for us.

The proposed realignment impacts not only our police department, but also the Borough Code Enforcement Officer, who diligently performs his enforcement duties and frequently appears before Judge Redlinger. This will increase his travel expenses and absence from his office, as well.

The proposed realignment creates more than mere inconvenience to the Borough of East Washington. Moving its court 10 miles away will result in additional costs and interfere with its police and government functions.

East Washington Borough Council respectfully opposes the proposed realignment and requests that it continue to be ably served by Magisterial District Judge Robert Redlinger.

Thanking you for your attention to this, I remain,

Yours very truly,

MARRINER, JONES & FITCH

By 

CaryDUt5nes

CDJ/mak Enclosure

cc: Blake E. McCandless, President of Council
Members of Council Mark A. Pacilla, Mayor
Mark Griffith, Police Department Michael E.
Behrens, Code Enforcement Officer Heather
Walsh, Borough Secretary

5/16/12

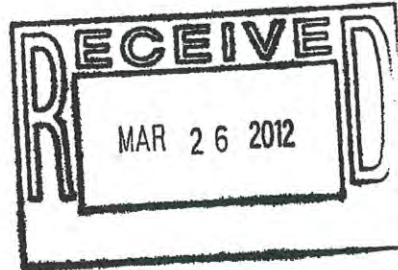
send to J. Wittmann

FYI . 11 MDJ's

says should be 9

William P Pelkey
103 South Street
Brownsville, PA 15417

Chief Justice of Supreme Court
Chief Justice Ronald D Castille
1818 Market Street
Suite 3730
Philadelphia, PA 19103



Honorable Chief Justice Ronald D Castille:

First of all I want to thank you for acknowledging my previous communications.

Upon receiving President Judge Seneca's plan for the realigning of District Judges in Washington County offering no support to you in your untiring and arduous redistricting efforts and none to Honorable Governor Tom Corbett in closing the two billion dollar budget gap nightmare, leaves me in total disarray.

Expressing expectations of an increase in case filings because of Marcellus Shale, does not meet muster because there is no mention of the antifracking movement in many parts of the country, including Washington County (Please see exhibits A thru F). I cannot foresee any signs of economic prosperity or relief in our budgetary crisis in the near future because of our ungracious tax burdens on our businesses throughout this Commonwealth (Please see exhibit G).

Washington County's filings may rank second among fourth-class counties, but do we really need eleven District Judges to adjudicate them (Please see ~~Chart~~ "A")? No, I believe it can be accomplished with nine, without any adversities to the Washington County residents and still maintain an orderly and efficient Judiciary (Please see ~~Chart~~ B & C).

As I previously mentioned, I am currently a member of the Centerville Borough Council, and our Chief of Police gives me a thorough monthly and annual report of police activity and contrary to an increase in numbers getting bigger as reported in the President Judge's plan, there is a decrease in hearings from 2010 to 2011 (Please see exhibit H & I). The only increase any of us see is District Judge Kanalis' golf attendance record at Nemaquin Country Club, which can be obtained from the club's business manager. This is probably why he receives so many winning awards (Please see exhibit J & K).

On the computer at www.washingtoncourts.us, if you click on New, it displays Magisterial District Reestablishment review containing an article referring to the

addition of a new Wal Mart being built in Magisterial District 27-3-03 with an expectation of an increase in Retail Theft filings. This likelihood is nil.

It has been reported that this Wal Mart is going to be a substandard Wal Mart, not near capacity of the normal Wal Mart, but will be equipped with some highly sophisticated surveillance systems and undercover security officers patrolling the premises. Most area business establishments maintain their own methods and procedures dealing with first-time Retail Theft offenders. Opting to keep their employees on the job rather than spending their time in court for petty theft, they simply get all offenders identification, make them return the merchandise, and they are not permitted to shop at their establishments.

Currently, there is a bridge under construction, near completed, which crosses over the Monongahela River from Centerville Borough, Washington County, to between Maxwell and LaBelle, Fayette County, creating the same situation the Lane Bane Bridge did to Brownsville, Fayette County. Brownsville was once a prosperous city but the Lane Bane Bridge caused the traffic to bypass Brownsville, creating a naked city. This new bridge under construction most likely will create the same adverse situation to Centerville Borough.

California is probably the largest borough within Magisterial District 27-3-03, but even though California University is located within the borough, its population is widespread because there are some students enrolled at California University (South Pointe) located in Canonsburg and a vast number of students are commuters. Therefore, the California Borough cannot be given full accreditation for its total population.

Additionally, most state universities, if not all, have their own judicial conduct board to resolve their complaints/disputes within, probably to avoid media attention to present them with any adversities with recruiting and enrollment process.

Finally, California University is experiencing difficulties with a special audit being conducted resulting to eleven (11) non-union managerial positions being eliminated and a decline in student enrollment (Please see exhibit "L").

Coal Center, Long Branch and West Brownsville Boroughs and also East Bethlehem Township are lagging in total population which is unlikely to experience an increase in caseload.

Magisterial District 27-3-067 has the Star Lake Amphitheater, creating most of the caseload because it is seasonal.

I hope you will find this helpful in supporting our Honorable Governor Tom Corbett in achieving his goal and objective towards streamlining our government and reducing the

deficit without raising our taxes, which will be very beneficial to our taxpayers,
especially we seniors on a fixed income (Please see exhibit **M**)

Sincerely

A handwritten signature in black ink, appearing to read "William P. Pelkey", with a long horizontal flourish extending to the right.

William P, Pelkey

CC: Honorable Governor Tom Corbett

POLICE BEAT

AMWELL

Man charged: Frank E. Kubichar III, 21, of Rices Landing, was charged by state police with disorderly conduct and public drunkenness after he was allegedly knocking on doors and looking in windows of a home at 454 Lone Pine Road, Amwell, about 3:45 a.m. Wednesday. State police said Kubichar, who was extremely intoxicated, was confronted by a woman who lives at the home.

INDEPENDENCE

Vandalism reported: Vandals discharged fire extinguishers inside construction vehicles owned by Mountain Top Excavating of Jones Mill, Westmoreland County, Monday, state police said. The vehicles were parked at a well site off Route 331, Independence.

County, was charged with drug possession, possession of drug paraphernalia and disorderly conduct, court records show. Monongahela police said he was caught consuming the drug about 7:45 p.m. Oct. 6 in a bathroom at a Sheetz, 111 E. Main St. Anthony is in the Washington County jail on a \$5,000 bond set by District Judge Mark Wilson.

PETERS

DUII accident: Richard C. Blackmore, 28, of Legends Green Drive, Spring, Texas, was charged with driving under the influence of alcohol following a one-vehicle accident at 1:47 a.m. Wednesday, township police said.

Blackmore was charged after he drove his pickup truck through a brick pillar in the 200 block of Sinnamon Trail, Venetia, police said. He was not injured, and police found

District judges' caseloads increase

Mandated review shows jump in cases since Marcellus Shale boom

By **KATHIE O. WARCO**
Staff writer
kwarco@observer-reporter.com

The Marcellus Shale gas industry may be having an impact on Washington County that was not foreseen.

In the last year, the caseload handled by local district judges has increased. And that increase may be enough to allow all 11 district judges in the county to keep their offices open.

President Judge Debbie O'Dell Seneca has drafted a plan that will be sent to the state Supreme Court that calls for realigning two of the offices and maintaining the other nine offices.

The upper court mandates that counties review the boundary lines of the offices at least once every 10 years. The purpose is to review changes in caseload filings and make modifications in the boundary lines to reduce large fluctuations in case-

loads among district courts in the county.

O'Dell Seneca said the state's chief justice initially wanted to close about 50 magisterial district judge offices across the state. About half of those offices were closed by attrition.

"We were asked to look at our district judge offices to see if any of the judges were close to retirement so a position could be eliminated," O'Dell Seneca said. "But none of our judges are close to retirement."

The judges were directed to look at the five-year period prior to 2011. But the caseload for the district judges increased in 2011 with signs that trend will continue this year. O'Dell Seneca said the county's filings rank second among fourth-class counties in the state.

"We are in a unique position," O'Dell Seneca said. "Our numbers were even bigger last year, and we ex-

pect to continue to increase because of the Marcellus Shale industry and impacts of developments like Southpointe II."

The numbers are bigger across the board from criminal cases to civil lawsuits and landlord-tenant disputes.

In the proposal, the offices of District Judges Robert Redlinger and Jay Weller will be realigned. East Washington, which is now covered by Redlinger, would be assigned to Weller, who also handles cases in North and South Strabane townships.

"Redlinger's numbers were off the charts," O'Dell Seneca said. "We were looking at the possibility of realigning his office. But since he lives in North Franklin, we couldn't take that off of him."

"Since the districts are required to be contiguous, we couldn't move East Washington to another judge such as Ethan Ward," she added. "Judge Weller agreed to take

East Washington." O'Dell Seneca said the only other alternative would have been to divide North Franklin.

The plan is available for public view and comment and www.washingtoncourts.us, the courthouse law library and the offices of the clerk of courts and prothonotary.

All comments on the proposal must be submitted in writing by March 29. Comments will be not be accepted via email or telephone. The county will send the plan to the state March 30. O'Dell is not certain when the county will hear back from the state.

"But I feel very comfortable," she said of the proposal.

Comments can be sent to Sally Michalstki, Special Courts Administrator, Washington County Courthouse Court Administrator's Office, 1 S. Main St., Suite 2004, Washington, PA 15301.

OBSERVER-REPORTER

SUNDAY,
MARCH 18,
2012

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Exhibit

Cal U. finances under investigation

Institution, state tight-lipped on special audit

By SCOTT BEVERIDGE
beveridge@observer-reporter.com

CALIFORNIA - The Pennsylvania State System of Higher Education is conducting a mid-semester investigative audit at California University of Pennsylvania, while the school's faculty union is questioning Cal U.'s financial sustainability.

The Association of Pennsylvania State College & University Faculties, which represents nearly 300 full-time Cal U. professors, has assigned a committee to review the university's most recent audit over is-

'Cash-flow problem'

The audit report indicates Cal U. ended its 2011 fiscal year with a cash deficiency of

\$9.7M

sues relating to how spending is drawing down the school's equity, said Burrell

Brown, a Cal U. professor who serves on APSCUF's executive committee.

"We're concerned if there is going to be enough money at the university to provide a quality education at an affordable cost," said Brown, a veteran professor of business and economics at Cal U.

The state system is not commenting on why it sent a team of auditors to Cal U. in February, spokesman Kenn Marshall said. Cal U. also declined to discuss that audit through its spokeswoman, Christine Kindl.



SCOTT BEVERIDGE / OBSERVER-REPORTER
The main entrance on Wood Street into California University

Please see Cal U., Page A2

Cal U.

Continued from Page One

"I was told no details are being provided on this one," Marshall said. He said the audit report will be made public once the investigation is completed.

The investigation is unusual, Brown said, adding that he could only speculate on its purpose.

"I've been here 23 years," Brown said. "It's the first time I've heard of a team of (state system) auditors coming in."

The last routine audit of Cal U. by ParenteBeard of Pittsburgh indicates its net assets fell from \$6.1 million in 2010 to \$1.8 million in 2011.

It also shows the university ended its last fiscal year in June 2011 with a net operating loss of \$43.9 million, an amount that grew by more than \$1 million from the previous year. However, the \$43.9 million loss can be adjusted to a true loss of \$7.8 million when such revenues as state appropriations, gifts, interest and other nonoperating revenues are taken into consideration, said William C. Wagner, a certified public accountant from Delmont, who reviewed the audit for the *Observer-Reporter*.

The audit report also indicates the university ended its fiscal year of 2011 with a \$9.7 million cash deficiency, Wagner said.

"They definitely ate into their cash," he said. "They definitely have a cash-flow problem."

The ParenteBeard audit also shows Cal U. has \$55.3 million in liabilities owed eventually to its union employees in the form of health-care benefits and pensions they will receive upon retirement, as well as payments for unused vacation and sick days, Wagner said.

The university last year had costs of \$7.2 million for its post-employment benefits liability and funded just \$2.5 million of that increase in liability, a problem that faces nearly every public university, municipality and school district in Pennsylvania. Wag-

ner said he also asked the House Democratic Committee on Appropriations to review the ParenteBeard audit and confer with the state system to address his concerns about Cal U.'s operating deficit.

"We want to know if this is a problem throughout the state system or just at Cal," he said.

The special audit comes at a time when Cal U. President Angelo Armenti Jr. has called for the furlough of as many as 11 nonunion managers at the school.

When ParenteBeard representatives presented the audit report to Cal U.'s trustees Dec. 7, it was delivered by company representative Elizabeth McMahon with a caution that there is a weakened prospect for net tuition growth. She also warned that there is a market preference for students seeking low-cost or high-reputation competitors.

"We have the same concerns," said Brown.

For the first time in many years, Brown said, the spring semester experienced an enrollment decline that Cal U. has indicated amounted to 2 percent from spring 2011. Kindl said Cal U. has for more than a decade adjusted successfully to a gradual decline in state funding.

"Our projections assumed that this trend would continue, and perhaps accelerate, in the coming years," she said.

"Last year, however, all of Pennsylvania's state-owned universities experienced a sudden and precipitous drop in state support. At the same time, costs in some key areas increased dramatically. The result is reflected in the latest audit report. We are confident that Cal U. can weather these difficulties without compromising its mission," Kindl said.

She said the university is examining every aspect of its operation to identify opportu-

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"They are going to have to come up with that money sooner or later," said Wagner, a member of Pennsylvania Institute of CPAs and former treasurer at Seton Hill University in Greensburg and Salem (W.Va.) International University. "That's the hazard you have with unions and labor contracts."

That much of a future liability, he said, could have triggered the special audit at Cal U., which ended 2011 with \$177.7 million in expenditures.

Meanwhile, state Rep. Peter J. Daley on March 9 asked

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She said the university is examining every aspect of its operation to identify opportunities for long-term savings.

Gov. Tom Corbett in early February again proposed drastic funding cuts to the state system schools for the next fiscal year, which would slash subsidies by 20 percent. According to the State Higher Education Executive Officers' annual report released Friday, the amount of state and local funding per public university student decreased nationwide by 7 percent between 2009 and 2010, falling to the lowest level in 25 years.

Staff writer Andy McNeil contributed to this story.

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EPA heightens scrutiny over Pa. gas drilling

By Michael Rubinkam Associated Press
Published: Monday, March 5 2012 9:10 a.m. MST



In a Monday, Feb. 13, 2012 photo, Ray Kemble smokes a cigar next to a truck he uses to haul water to his neighbors and himself in Dimock, Pa. The U.S. Environmental Protection Agency appears to be ramping up its interest in the Marcellus Shale, a rock formation in Pennsylvania and surrounding states that is believed to hold the nation's largest reservoir of gas with investigations in both the northeastern and southwestern corners of Pennsylvania. The drilling industry accuses EPA of overreach. (Matt Rourke, Associated Press)

DIMOCK, Pa. — Tugging on rubber gloves, a laboratory worker kneels before a gushing spigot behind Kim Grosso's house and positions an empty bottle under the clear, cold stream. The process is repeated dozens of times as bottles are filled, marked and packed into coolers.

After extensive testing, Grosso and dozens of her neighbors will know this week what may be lurking in their well water as federal regulators investigate claims of contamination in the midst of one of the nation's most productive natural gas fields.

More than three years into the gas-drilling boom that's produced thousands of new wells, the U.S. Environmental Protection Agency and the state of Pennsylvania are tussling over regulation of the Marcellus Shale, the vast underground rock formation that holds trillions of cubic feet of gas.

The state says EPA is meddling. EPA says it is doing its job.

Grosso, who lives near a pair of gas wells drilled in 2008, told federal officials her water became discolored a few months ago, with an intermittent foul odor and taste. Her dog and cats refused to drink it. While there's no indication the problems are related to drilling, she hopes the testing will provide answers.

"If there is something wrong with the water, who is responsible?" she asked. "Who's going to fix it, and what does it do to the value of the property?"

Federal regulators are ramping up their oversight of the Marcellus with dual investigations in the northeastern and southwestern corners of Pennsylvania. EPA is also sampling water around Pennsylvania for its national study of the potential environmental and public health impacts of hydraulic fracturing, or fracking, the technique that blasts a cocktail of sand, water and chemicals deep underground to stimulate oil and gas production in shale formations like the Marcellus. Fracking allows drillers to reach previously inaccessible gas reserves, but it produces huge volumes of polluted wastewater and environmentalists say it can taint groundwater. Energy companies deny it.

The heightened federal scrutiny rankles the industry and politicians in the state capital, where the administration of pro-drilling Gov. Tom Corbett insists that Pennsylvania regulators are best suited to oversee the gas industry. The complaints echo those in Texas and in Wyoming, where EPA's preliminary finding that fracking chemicals contaminated water supplies is forcefully disputed by state officials and energy executives.

Caught in the middle of the state-federal regulatory dispute are residents who don't know if their water is safe to drink.

EPA is charged by law with protecting and ensuring the safety of the nation's drinking water, but it has largely allowed the states to take the lead on rules and enforcement as energy companies drilled and fracked tens of thousands of new wells in recent years.

In Pennsylvania, that began to change last spring after The Associated Press and other news organizations reported that huge volumes of partially treated wastewater were being discharged into rivers and streams that supply drinking water. EPA asked the state to boost its monitoring of fracking wastewater from gas wells, and the state declared a voluntary moratorium for drillers that led to significant reductions of Marcellus waste. Yet a loophole in the policy allows operators of many older oil and gas wells to continue discharging significant amounts of wastewater into treatment plants, and thus, into rivers.

The state's top environmental regulator, Michael Krancer, says Pennsylvania doesn't need federal intervention to help it protect the environment. He told Congress last fall that Pennsylvania has taken the lead on regulations for the burgeoning gas industry.

"There's no question that EPA is overstepping," Katherine Gresh, Krancer's spokeswoman, told the AP. "DEP regulates these facilities and always has, and EPA has never before shown this degree of involvement."

The American Petroleum Institute urged the Obama administration last week to rein in the 10 agencies it says are either reviewing, studying or proposing regulation of fracking.

"The fact is that there is a strong state regulatory system in place, and adding potentially redundant and duplicative federal regulation would be unnecessary, costly, and could stifle investment," API Vice President Kyle Isakower said in a statement.

EPA says public health is its key focus and insists it is guided by sound science and the law.

"We have been clear that if we see an immediate threat to public health, we will not hesitate to take steps under the law to protect Americans whose health may be at risk," said Terri White, an EPA spokeswoman in Philadelphia.

The EPA investigations are being conducted amid reports of possibly drilling-related contamination in several Pennsylvania communities.

In recent years, methane migrating from drill sites into private water supplies has forced scores of residents to stop using their wells and rely on deliveries of fresh water. Some residents complain the state agency has failed to hold drillers to account.

In heavily drilled Washington County, near the West Virginia border, EPA staff are inspecting well pads and natural gas compressor stations for compliance with water- and air-quality laws. In

Dimock, a village about 20 miles south of the New York state line, EPA stepped in after a gas driller won the state's permission to halt fresh water deliveries to about a dozen residents whose wells were tainted with methane and, the residents say, heavy metals, organic compounds and drilling chemicals.

Dimock holds the distinction of being Pennsylvania's top gas-producing town, yielding enough gas in six months to supply 400,000 U.S. homes for a year. Some residents contend their water wells were irreversibly contaminated after Houston-based Cabot Oil & Gas Corp. drilled faulty gas wells that leaked methane into the aquifer 7/87/8— and spilled thousands of gallons of fracking fluids that residents suspect leached into the groundwater.

Cabot first acknowledged, then denied responsibility for the methane it now contends is naturally occurring. It also asserts that years of sampling data show the water is safe to drink.

The EPA looked at the same test results and arrived at a different conclusion.

The well water samples "led us to conclude that there were health concerns that required action," White said. EPA said its tests showed alarming levels of manganese and cancer-causing arsenic and that Cabot's own tests found minute concentrations of organic compounds and synthetic chemicals, suggesting the influence of gas drilling.

Cabot says its drilling operations had nothing to do with any chemicals that have turned up in the water. It points to a Duke University study last year that found no evidence of contamination from fracking.

Yet the company racks up state violations at a far higher rate than its competitors in the Marcellus — 248 violations at its wells in Dimock alone since late 2007 — most recently last month, when the company was flagged for improper storage, transport or disposal of residual waste. State regulators levied more than \$1.1 million in fines and penalties against the company between 2008 and 2010. And it is still banned from drilling any new wells in a 9-square-mile area of Dimock.

While EPA agreed last month to deliver water to four homes along Carter Road, the agency said the tests did not justify supplying water to several other residents who had been getting their water from Cabot and who have filed suit against the company.

The plaintiffs still don't trust their wells, instead relying on water from the nearby Montrose municipal supply.

Twice a day, six days a week, Carter Road resident Ray Kemble drives about eight miles to a hydrant in Montrose, fills a 550-gallon tank strapped to the back of a donated truck, and delivers water to as many as five homes — including his own. Anti-drilling groups are footing the bill, estimated at \$500 per week.

Kemble said his well water turned brown and became unusable in 2008, shortly after the gas well across the street was drilled and fracked.

At his home, he filled a large plastic container dubbed a water buffalo from the tank on the truck.

"Never had a problem before until Cabot came in," Kemble said.

nation's liquid fuel will come from unconventional sources, including deep offshore and Arctic oil, shale oil, tar sands, bio-fuels and liquids obtained from coal and natural gas. Although relatively abundant, these supplies can be extracted only through costly technologies—like the multimillion-dollar rigs used to drill for oil in the Gulf of Mexico—and by posing severe risk to the climate and the environment. Any increase in Arctic output, for example, will threaten the survival of endangered land and sea creatures, and increased offshore drilling poses a risk of further spills on the scale of the BP/Deepwater Horizon disaster of April 2010.

As in the United States, the projected increase in Brazilian and Canadian energy output will rely on unconventional sources of supply. For Canada, this means the accelerated development of Albertan tar sands. For Brazil, it involves developing oil reservoirs buried beneath miles of ocean, sand and salt—termed “pre-salt” reserves by the Brazilian government. All of these supplies must be extracted by costly, complex means that involve extreme environmental hazards.

For those who welcome the increase in oil and gas produc-

Unconventional oil and gas production in the Western Hemisphere will no doubt rise, but so will the likelihood of environmental catastrophe.

tion, the development of these unconventional sources is a triumph of technology and deserves strong public and government support. By promoting these technological advances, Yergin claims, the United States will reap economic benefits, in terms of jobs and corporate profits, and improved “energy security”—meaning reduced exposure to the violence, corruption and authoritarianism that often accompany oil and gas production in other parts of the world.

These arguments are being appropriated by the Republicans in their efforts to undermine Obama and drive him from office. Along with a push for increased US oil and gas production, the Republicans favor greater reliance on Canadian tar sands and the construction of the Keystone XL pipeline across the Midwest to refineries on the Gulf Coast. Although it is strongly opposed by environmentalists, pipeline proponents claim it will create jobs and promote energy security. “According to the Department of Energy, this one project will ‘essentially eliminate’ oil imports from the Middle East. It will create more than 100,000 jobs and strengthen our relationship with a close ally and trading partner,” declared Republican Fred Upton, chair of the House Energy and Commerce Committee. “A project like this should be a no-brainer.”

Claims like these will fill the airwaves, Congressional hearings and Republican rallies as this election year proceeds. Even some Democrats appear to be succumbing to the barrage, fearful of appearing to oppose the prospect of added jobs or abundant domestic energy at a time of economic duress. Lately, President Obama has been especially conspicuous in his support for increased reliance on fossil fuels: although he

blocked the initial route of the Keystone XL pipeline on environmental grounds, he has voiced strong support for offshore drilling in the Gulf of Mexico and accelerated exploitation of shale gas reserves. It is essential, then, to subject these claims to exhaustive scrutiny. To begin, just how reliable are the projections of future increases in US and hemispheric oil and gas production? Second, can the increases be achieved without grievous harm to the environment and surrounding communities? Third, and most important, do the professed benefits of the oil and gas boom outweigh the potential dangers?

No one can be certain about future oil and gas production levels, especially given the relative immaturity of many of the new technologies. But there are good reasons for doubt. Take shale gas, the most ballyhooed of all the new sources. According to the EIA, US shale gas production will soar from 2.9 trillion cubic feet in 2009 to 12.3 trillion in 2030. To achieve this increase, however, energy companies will have to sink tens, perhaps hundreds, of thousands of wells across the United States—many of them in relatively densely populated rural areas of Ohio, Pennsylvania and New York—and inject mammoth quantities of chemically laced water into the underground shale formations to shatter the rock and release the gas trapped within, in a process known as hydraulic fracturing, or “fracking.”

Many of these wells will find significant concentrations of gas—but many will not. Given the uneven distribution of embedded gas molecules, a new well drilled a mile or so from an existing prolific well could easily come up empty. In fact, the EIA recently downgraded its estimate of US shale gas reserves by more than 40 percent, from 827 trillion cubic feet to 482 trillion. Even more significant, the Marcellus Shale Formation of the Northeast, widely considered the most promising shale gas “play,” was downgraded from 410 trillion cubic feet in the 2011 estimate to 141 trillion in the 2012 report—an eye-catching drop of 66 percent. These revisions are said to represent greater experience in drilling, which, as noted, tends to produce many dry wells.

More important, perhaps, than the likelihood of disappointing production figures is the steady growth of the anti-fracking movement in many parts of the country. Not only does the well-drilling disrupt rural communities, producing round-the-clock noise and traffic from heavy tankers and trucks; the use of toxic chemicals to liberate the gas threatens the safety of water supplies in a variety of ways, from the leaking of the toxic fracking water into underground aquifers to the dumping of the returned water (called flowback) into municipal water-treatment systems, which are not equipped to handle them. As these irritants and dangers have multiplied, more and more people are demanding strict county and state regulation of—if not an outright ban on—fracking, and the Obama administration is considering tougher federal standards. The anti-fracking activism will probably not halt the expansion of shale gas production, but it will certainly reduce the number of wells, lowering total output.

The same can be said of all the other unconventional sources

EXHIBIT 'D'

Mt. Pleasant votes to join challenge of state drilling law

By SCOTT BEVERIDGE
Staff writer
sbeveridge@observer-reporter.com

"THIS NEW BILL HANDICAPS US,"
LARRY H. GRIMM,
CHAIRMAN OF MT. PLEASANT BOARD OF SUPERVISORS

HICKORY - Mt. Pleasant Township supervisors during a special meeting Saturday opted into a proposed municipal challenge to a new state law that lifts local zoning regulations on the Marcellus Shale natural gas industry. Supervisors voted 2-1 to join with as many as 40 mu-

February by Gov. Tom Corbett, a move the local governments believe violates the state Constitution. "I believe this is an attack on our freedom and power to regulate our own laws," Mt. Pleasant supervisor Arden B. McCartney said.

The Marcellus Shale industry lobbied for the law because it felt it couldn't operate efficiently each time a

driller crosses a municipal line and must meet different local zoning rules, township solicitor William A. Johnson said.

The municipalities in opposition feel Act 13 violates the Constitution by its repealing of their right to set such regulations as limiting the time such operations can drill and placement of lighting, as well as addressing issues regard-

ing roads and pipeline construction, Johnson said.

"This new bill handicaps us," supervisor chairman Larry H. Grimm said.

Cecil Township supervisors on March 5 also agreed to consider joining in the same legal battle along with Robinson, South Fayette, Robinson and Peters townships.

Under Act 13, each munic-

ipality must amend its zoning laws by mid-August to relinquish Marcellus Shale control to the state to qualify for the new locally shared natural gas impact fee the law requires drillers to pay. In all, Washington County municipalities stand to split about \$7.4 million the fee will generate.

Supervisor Bryan Smith, Please see Challenge, Page A2



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Wheels.....	G1-10



Clouds and sun with a t-storm. High 76. Low 53. Complete weather, PAGE B8

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Challenge

Continued from Page One

who voted against entering the legal challenge, said he had too many questions, including one about how much it will cost Mt. Pleasant taxpayers "to make an educated decision."

Several local taxpayers

voiced opposition to the plan, including Sally Brown-Pawlosky, who said it would send the wrong message to the industry.

"We need an influx of money," Brown-Pawlosky said. "This is a community that does not have much else to offer but the gas beneath us."

Resident Joe Ogburn said the industry has rebuilt

roads the township could never have completed.

The income from gas leases also has allowed farmers with rundown property to turn barns and houses into "something that looks like they belong in Better Homes and Gardens magazine."

Meanwhile, resident Kim Forrest said, "it is head-spinning" that one industry could lobby for such a bill.

Exhibit 'E'

WASHINGTON & GREENE COUNTIES

KETS OF JOY

Inside the Canonsburg headquarters of Sarris Candies.
More in Living in Washington County magazine. **INSIDE TODAY**

ier-Reporter

WEDNESDAY,
MARCH 21,
2012

S

Cecil, Peters latest to join action on gas drilling law

South Fayette Township expected to vote tonight

BY BRAD HUNDT
AND TERRI JOHNSON
Staff writers
newsroom@observer-reporter.com

Both Cecil and Peters townships have signed on to a lawsuit that will challenge the constitutionality of Pennsylvania's freshly approved law regulating oil and gas drilling.

Supervisors in Cecil voted 5-1 Tuesday morning to join the action, following fast on the heels of Peters Township Council, which came on board Monday night. A decision is anticipated today in South Fayette Township, just over the line from Cecil in Allegheny County. Other communities that

INSIDE are part of the suit are Mt. Pleasant and Robinson townships in the northwestern corner of Washington County.

Many local lawmakers have skewered Act 13, which was approved by the General Assembly in February and creates a uniform set of conditions and rules for oil and gas drilling throughout the commonwealth. They contend the law is overly broad and strips away local authority to control gas drilling in their communities.

Supervisor Elizabeth Cowden voted no, and fellow

Supervisor Tom Casciola was absent. Supervisors Mike Debbis, Andy Schradler and Frank Ludwin supported the measure.

Cowden has argued that the township would be unlikely to prevail in a suit that could be costly.

The suit will likely be filed within a week in state Commonwealth Court. John Smith, the solicitor for both Cecil and Robinson townships, said his work on the suit would be pro bono. Cecil agreed to set aside \$2,500 to cover the cost of testimony from expert witnesses.

The law goes into effect

Please see Action, Page A2

Action

Continued from Page One

April 14. A request for a preliminary injunction to put a hold on its enactment "remains a possibility," Smith said.

In Peters, the public notice indicating council would act on the suit was published Monday and Township Manager Michael Silvestri said law requires 24-hour notice. Council nevertheless voted and will again address the issue Monday.

The vote passed 5-0 with Councilman Gary Stiegel Jr. abstaining. Council member James Berquist was absent. Voting to authorize joining the appeal were members Robert Lewis, chairman, Robert Atkison, Monica Merrell, Frank Arcuri and David Ball.

When asked for an estimate of costs involving the appeal, Silvestri said the township will be responsible for any legal work provided by the township solicitor, William Johnson, and for a share of the costs associated with any expert witnesses. Silvestri said he expected the township's share of expert witnesses, such as medical doctors, to be about \$10,000.

Exhibit "G"

RALPH R. REILAND

Anti-business Pennsylvania: The 'worst'

Here's a headline that's sure not to boost investment and job creation in Pennsylvania: "Worst In Business Taxes."

Unfortunately, it's a headline that's easy to remember, and it wasn't published only in the Pittsburgh Business Times or The Philadelphia Inquirer.

It's a headline in the Feb. 28 edition of Investor's Business Daily, read nationally by precisely the people who make the decisions about the location of job-creating capital investments and business expansions.

According to the study "Location Matters," published by the Tax Foundation, when all taxes are factored in, Wyoming's rate of taxation on businesses is less than half the national average.

"Pennsylvania, meanwhile, wins the double distinction of imposing the heaviest tax burden on its businesses, with an overall effective rate that's 45 percent above the national average," reports

The survey considered the combined impact of state taxes on corporate income, sales, property, unemployment, gross receipts and so on. Not surprisingly, a supplement by Investor's Business Daily to the Tax Foundation study, considering tax rates on both new and existing businesses, found that the states with the lowest taxes on businesses produced more new jobs in the current economic recovery than the states with the highest tax burdens.

"In fact, the five states with the lowest tax rates on both new and existing companies saw jobs climb an average 1.14 percent since the recession ended in June 2009," reports Investor's Business Daily. "In contrast, the five states with the highest business tax rates ... had payrolls grow an average of just 0.75 percent. That's a 52 percent difference."

Additionally, the Tax Foundation study found that all businesses within each state aren't treated equally, with targeted tax breaks, political preferentialism and various

subsidies creating what Investor's Business Daily calls a "startling" disparity in tax burdens.

Among them: "Louisiana offers so many incentives for new R&D companies that they face an effective tax rate of -10.5 percent. But Louisiana doesn't extend this generosity to new distribution centers, which face a sky-high 50 percent tax rate. Pennsylvania likewise makes life easy for manufacturers, offering them tax rates as low as 6.1 percent, among the lowest in the country. But Pennsylvania is most unkind to other types of business, with tax rates that are the highest, or very close to the highest, for every other industry examined by the study."

Bottom line: We're being held back in Pennsylvania with an anti-jobs, anti-business, anti-growth tax system that's confiscatory, discriminatory, duplicitous and counterproductive.

Ralph R. Reiland is an associate professor of economics at Robert Morris University and a local restaurateur. His email: rreiland@aol.com

Research shows that all businesses in Pennsylvania aren't treated equally.

The five most business-friendly states, ranked from the least burdensome in terms of business taxes, are Wyoming, South Dakota, Georgia, Nevada and Ohio.

The five least business-friendly states, in order of most burdensome in taxation, are Pennsylvania, Hawaii, West Virginia, Kansas and Rhode Island.

"This report helps answer an important question for business owners: What will my company pay in taxes if I move into a state?" said Scott Hodge, president of the Tax Foundation. "Up until now, there had been no comprehensive national tax survey that could answer that question."

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Exhibit "H"

CENTERVILLE BOROUGH POLICE DEPARTMENT

YEARLY REPORT OF POLICE ACTIVITY FOR YEAR 2010

ACCIDENTS INVESTIGATED	56
HIT & RUN ACCIDENTS INVESTIGATED	3
HIT & RUN ACCIDENTS SOLVED	2
DEATH SCENE INVESTIGATIONS	4
CHILD VICTIM SEX CRIME INVESTIGATION	5
CHILD SEX CRIME CLEARED BY ARREST	3
INDECENT ASSAULT ARRESTS	1
THEFTS INVESTIGATED	50
THEFT ARRESTS	23
FORGERY INVESTIGATIONS	10
INTERNET FRAUD INVESTIGATIONS	6
FRAUD ARRESTS	8
UNAUTHORIZED CREDIT CARD USE ARRESTS	4
CONSPIRACY ARRESTS	8
CRIMINAL MISCHIEF INVESTIGATIONS	60
CRIMINAL MISCHIEF ARRESTS	27
ROBBERY INVESTIGATIONS	1
STOLEN VEHICLES	4
STOLEN VEHICLES RECOVERED	3
RECOVERED STOLEN PROPERTY ARRESTS	5
STOLEN VEHICLE ARRESTS	1
DRUNK DRIVING ARRESTS	4
UNDERAGE DRINKING ARRESTS	15
DRUG VIOLATION ARRESTS	9
CHILD WELFARE INVESTIGATIONS	17
BURGLARY INVESTIGATIONS	11
BURGLARY ARRESTS	4
DISORDERLY CONDUCT ARRESTS	36
HARASSMENT COMPLAINTS	37
HARASSMENT ARRESTS	24
DOMESTIC DISPUTES	74
DOMESTIC VIOLENCE ARRESTS	16
ASSAULT INVESTIGATIONS, NOT DOMESTIC RELATED	6
ASSAULT ARRESTS, NOT DOMESTIC RELATED	5
TRESPASS COMPLAINTS	34
TRESPASS ARRESTS	12
PERSONS THREATENED	22
THREAT ARRESTS	14
DISTURBANCES	85
NEIGHBOR DISPUTES	68
PUBLIC DRUNK ARRESTS	9
SUSPICIOUS ACTIVITY COMPLAINTS	120
ALARMS ANSWERED	44
CHECK WELL BEING OF ELDERLY	59
ASSIST PAROLE / PROBATION OFFICER	34
ASSIST OTHER POLICE DEPARTMENTS	37
ASSIST WITH EMOTIONALLY DISTURBED PERSON	13
ASSIST STATE CONSTABLE	29
ASSIST AMBULANCE	23
ASSIST FIRE DEPARTMENTS	10
ASSIST MOTORISTS	86
MISCELLANEOUS COMPLAINTS AND PUBLIC SERVICE REQUESTS	661
TOTAL ARRESTS, INCLUDING TRAFFIC	385
ORDINANCE VIOLATIONS SERVED	118

ORDINANCE ARRESTS	23
DISTRICT COURT APPEARANCES	151
WASHINGTON COURT APPEARANCES	23
9-1-1 CALLS FROM 1-1-10 THRU 12-31-10	1614

Exhibit "I"

CENTERVILLE BOROUGH POLICE DEPARTMENT

YEARLY REPORT OF POLICE ACTIVITY FOR YEAR 2011

ACCIDENTS INVESTIGATED	49
HIT & RUN ACCIDENTS INVESTIGATED	10
HIT & RUN ACCIDENTS SOLVED	4
FATAL ACCIDENTS INVESTIGATED	1
DEATH SCENE INVESTIGATIONS	5
CHILD VICTIM SEX CRIME INVESTIGATION	5
CHILD SEX CRIME CLEARED BY ARREST	2
INDECENT ASSAULT ARRESTS	3
THEFTS INVESTIGATED	31
THEFT ARRESTS	13
FORGERY INVESTIGATIONS	5
INTERNET FRAUD INVESTIGATIONS	8
FRAUD ARRESTS	3
UNAUTHORIZED CREDIT CARD USE ARRESTS	3
CONSPIRACY ARRESTS	6
CRIMINAL MISCHIEF INVESTIGATIONS	41
CRIMINAL MISCHIEF ARRESTS	17
ROBBERY INVESTIGATIONS	5
ROBBERY ARRESTS	3
STOLEN VEHICLES	2
STOLEN VEHICLES RECOVERED	1
RECOVERED STOLEN PROPERTY ARRESTS	4
STOLEN VEHICLE ARRESTS	2
DRUNK DRIVING ARRESTS	3
UNDERAGE DRINKING ARRESTS	9
DRUG VIOLATION ARRESTS	7
CHILD WELFARE INVESTIGATIONS	37
BURGLARY INVESTIGATIONS	9
BURGLARY ARRESTS	4
DISORDERLY CONDUCT ARRESTS	38
HARASSMENT COMPLAINTS	47
HARASSMENT ARRESTS	31
DOMESTIC DISPUTES	76
DOMESTIC VIOLENCE ARRESTS	14
ASSAULT INVESTIGATIONS, NOT DOMESTIC RELATED	13
ASSAULT ARRESTS, NOT DOMESTIC RELATED	11
TRESPASS COMPLAINTS	26
TRESPASS ARRESTS	9
PERSONS THREATENED	27
THREAT ARRESTS	14
PERSON WITH GUN CALLS	4
DISTURBANCES	94
NEIGHBOR DISPUTES	58
PUBLIC DRUNK ARRESTS	8
SUSPICIOUS ACTIVITY COMPLAINTS	110
ALARMS ANSWERED	37
CHECK WELL BEING OF ELDERLY	41
ASSIST PAROLE / PROBATION OFFICER	21
ASSIST OTHER POLICE DEPARTMENTS	39
ASSIST WITH EMOTIONALLY DISTURBED PERSON	16
ASSIST STATE CONSTABLE	23
ASSIST AMBULANCE	24
ASSIST FIRE DEPARTMENTS	17
ASSIST MOTORISTS	85

MISCELLANEOUS COMPLAINTS AND PUBLIC SERVICE REQUESTS	-610
TOTAL ARRESTS, INCLUDING TRAFFIC	-432
ORDINANCE VIOLATIONS SERVED	-114
ORDINANCE ARRESTS	25
DISTRICT COURT APPEARANCES	-118
WASHINGTON COURT APPEARANCES	-13
9-1-1 CALLS FROM 1-1-11 THRU 12-31-11	-1648

Following is a picture of MDJ Mike Defino the son of the late Magisterial District Judge Mike Defino.

Exhibit J



Pictured below is Judge Kanalis and a face from the past, Common Pleas Court Judge Paul Pozonsky. Many will remember his famous saying "D-7 IS IN THE HOUSE."



Judges Defino and Kanalis are two of the very new members of the Association and we are very pleased to have these fine young men as members of D-7.

*Submitted by: Mike (the Q man) Defino and Jay Who Dutton
Photos by former Magisterial District Judge Herb Mitchell*

JUDGE CHARLES "CHUCK" CLEMENT EARNS LOCAL AWARD

Magisterial District Judge Chuck Clement of Cumberland County was recently awarded the West Shore Kiwanis Club's Bob Craig Youth Service Award.

This award was named after a local football coach who promoted the success of the community's youth.

Chuck himself was an athlete in his younger days. He was an All-American basketball player at Cedar Cliff High School and won a full athletic scholarship to Canisius College in Buffalo, New York.

While there, he was named to the New York State College and University All Stars. The Judge has coached baseball and basketball in his community throughout the years.

Congratulations, Chuck, on this recognition.

ATTENTION SENIOR AND RETIRED MAGISTERIAL DISTRICT JUDGES AND SUBSCRIBERS

If you wish to receive The Journal – **free of charge** - at the time of your retirement, please contact Paulina Thomas via:

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E-mail: pthomas@tuckerlaw.com
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P. O. Box 11424
Harrisburg, PA 17108

Also, if you are a new Magisterial District Judge and receive *The Journal* in your predecessor's name, please also advise us of this change. Otherwise, you will continue to receive your issue with the incorrect name. Keep in touch and advise us accordingly. In addition, if your address lists "Vacant" – because at the time *The Journal* labels were prepared, a Magisterial District Judge was not assigned to the office, this also needs to be corrected. We need to be informed when a permanent Judge is sitting in the office, and you are the only available source of that information.

The award is given annually by the Mid-Atlantic Association for Court Management to an individual or group of individuals who develop or implement a significant or unique educational or court management system.

Judge Knapp established the Young Adult Community Conferencing (YACC) program in District Court 15-1-04, which among other things serves the campus of West Chester State University. The program, for offenders ages 18-24, requires offenders to meet in conference with volunteer representatives of the community, including individual victims if available. The offenders, volunteers, victims and a facilitator, together, determine appropriate consequences for the offense, including alcohol awareness classes, meaningful community service, and projects related to the offender's career goals.

Judge Knapp developed the program in response to a high number of alcohol-fueled offenses. "Public drunkenness, noise violations, disorderly conduct and underage drinking in West Chester occur at a rate disproportionate to the size of the town," the Judge said. "I see case after case in my courtroom. With a high recidivism rate among young people in the 18-to-24 age range, it was evident that we need an alternative to merely issuing penalty fines; an alternative that helps young people understand the consequences of alcohol abuse upon themselves and others."

YACC, one of five programs nominated for the award, became a program of Family Service of Chester County in May 2009. Burroughs P. Mack, MSS and executive director of Family Service of Chester County, said, "This model of conferencing is designed to help young people grasp their responsibility and become more accountable for their behavior."

Judge Knapp, who received her award October 12th in Baltimore, will be a

co-presenter on the topic of Restorative Group Conferencing November 5th at the 2009 Pennsylvania Conference on Juvenile Justice in Harrisburg.

DISTRICT 7'S 10TH ANNUAL MIKE DEFINO MEMORIAL GOLF OUTING

The 10th Annual Mike Defino Memorial Golf Outing was held Thursday September 17th at the Cedarbrook Golf Club in Rostraver. The outing is an annual event put on by Judge Charles Christner to honor the memory of Mike Defino, a former Magisterial District Judge who passed away in 1999. Judge Mike Defino was an avid golfer and enjoyed getting together with his colleagues for an afternoon on the links.

The event is held for present and former Judges and was attended by jurists from all over the state. Approximately 32 golfers from miles around came to try their hand at the top honors. The weather was beautiful; sunny and warm and perfect for a day outside, as it seems to be every year! Mike's friends all know he would never let foul weather spoil a tournament in his honor.

The event was won by Judge Josh Kanalis of Washington County and his partner Judge Mike Defino, Jr. (Judge Defino has no problem admitting that Judge Kanalis did all of the heavy lifting). In second place was Judge Charles Christner of Westmoreland County and his partner Judge Beth Mills of Allegheny County. Plaques, door and skill prizes were awarded after a delicious dinner at the John Street Boat Club. After the dinner a local couple renewed their wedding vows, preformed by Judge Mills with all of the MDJs present.

Judge Christner and his golf committee deserve special thanks for once again putting on a fantastic event. We know they will have another great time planned for #11!

Exhibit K

doubt an exciting event for all who attended. Registration began on June 15th with a cordial greeting from members of District XII presenting each Judge with a judicial figurine representing the "Caroler's in Bucks County." handcrafted for more than 30 years by Byers Choice, LTD.

Wednesday's dinner included a presentation by *Theaters To Go*, with a murder mystery entitled "A Will To Kill". Many Judges and guests actively participated in the production and displayed their competitiveness in answering trivia.

Thursday's activities included a bus trip to Byers' Choice, the quaint shops at Peddler's Village and lunch at Sweet Lorraine's, as well as a trip to Buckingham Valley Vineyard, whose wine was at the table at the President's Banquet.

Another activity enjoyed by the Judges was golf and it was a picture perfect day! After 18 holes, the players enjoyed dinner in the clubhouse where trophies were awarded to the golfers with the best



Judge Frank Peranteau with the four winners: Ricky King and Dennis Joyce, both of Allegheny Co., and Gary Havelka and Josh Kanalis, both of Washington Co. (Judge Bob Gaffney looks on).

Across the Street from the Sheraton Bucks County Hotel was a popular spot for the children. Sesame Place was the "place to be" if you were interested in visiting Bert, Ernie, Elmo and the rest of the Sesame Street gang.

For those interested in some physical activity, Thursday evening gave attendees the opportunity to visit Brunswick Zone XL. A fun evening that was highlighted by the Laser Tag area where participants don a vest and are given a Laser. You then attempt to stay "alive" in a maze filled with others bearing lasers and trying to eliminate each other. Several Judges were overheard commenting that, "It just didn't feel right trying to shoot those kids"! Others enjoyed bowling for a night of fun.

Whether it was shopping at the Oxford Valley Mall, a relaxing soak in the hot tub, touring the Bucks County Wineries, or taking a refreshing swim in the pool, the Conference had something for everyone.

If attaining some education was your desire, seminars were the place to be. Topics included retirement benefits, sentencing, truancy, understanding the legislative process, as well as an interactive DUI Workshop and the 7 Habits of Highly Effective People to Reducing Recidivism. And, as always the hospitality room was a bustle of Judges, families and colleagues making new acquaintances and catching up with long time friends. The tables were always full of people chatting and sampling the delicious variety of local fare like tomato pie, hot wings, sandwiches and cinnamon rolls and a variety of snacks to satisfy whatever craving one might have.

The camaraderie demonstrated in that room is a true sign of the strength of our organization. Whether we join together for pleasure or purpose, we will always be the strong and supportive base of the pyramid we call the Unified Judicial System of Pennsylvania.

The President's banquet on Friday night was a night to honor and thank President Mark Bruno for all he has accomplished for the Association during his term and to swear in our new President Carmine Prestia, Jr. Judge Prestia gave a truly heartfelt speech reflecting his dedication and the seriousness with which he regards his position as President of our Association. Special guest speaker, Justice Seamus P. McCaffrey, reflected on the importance of our Armed Forces and the sacrifices they have made for our freedom.

Exhibit "M"

Corbett proposes flat judiciary funding

By Amaris Elliott-Engel
The Legal Intelligencer

Pennsylvania Gov. Tom Corbett's proposed budget would keep general-fund money allotted to the judiciary the same as last year, but funding for civil legal services for the poor would be cut by \$274,000.

In the second budget proposal of his administration, Mr. Corbett introduced a budget with tax increases for individuals and businesses for the 2012-13 fiscal year that would fund the judiciary at \$298.9 million in general fund dollars.

The governor's budget would maintain all of the judiciary budget lines at the same level.

The judiciary had asked for another \$26 million in the 2012-13 budget to cover a 3 percent cost-of-living increase for judges mandated by statute and to cover the overall operational expenses that the judiciary has otherwise been covering through its tech-

nology fund.

Thomas B. Darr, deputy court administrator of Pennsylvania, said in an interview that the governor obviously understands there is a problem, because the judiciary's funding is not proposed to be cut the way other services, such as Pennsylvania higher education institutions, are. "We still have a problem even though he understands we have a problem. ... We appreciate his difficulties but I have no clue as to how we would fill the gap."

The state Senate has canceled the budget hearing for the judiciary, Mr. Darr said.

While Mr. Corbett's initial budget a year ago proposed flat funding from what former Gov. Edward G. Rendell had proposed for the judiciary in past fiscal years, the state Senate added \$22 million in general funds to the budget and the judiciary pledged its willingness to transfer as much as \$10 million out of the technology fund to cover opera-

tional expenses, most of which goes for salaries and benefits.

The judiciary also will see a cut in federal funds, falling from \$2.1 million last year to \$1.4 million this year.

Mr. Corbett has proposed that legal services funded in a budget line within the state Department of Public Welfare be funded at \$2.5 million, down from \$2.74 million last year and down from \$3 million two budget cycles ago.

Pennsylvanians with low incomes are provided emergency legal services "in situations that threaten the basic needs of individuals" on this budget line, according to the Corbett administration's budget proposal.

The legal-aid funding proposal preserves a midyear 10 percent state funding cut, said Gerald A. McHugh Jr., president of Pennsylvania Legal Aid Network Inc.

"We will try to persuade the

governor's office that there is a leveraging effect to dollars spent on legal services that helps to attack the problem of poverty and that restoring the cut would be good social policy," Mr. McHugh said.

He previously said that among "anemic" funds dedicated to civil legal aid from the interest earned on attorney trust accounts, the recent 10 percent state funding cut, a 10 percent state funding cut that started at the beginning of the fiscal year and a federal funding cut, the number of employees of legal services agencies around Pennsylvania has been cut by 15 percent.

Two legal aid offices closed in Pennsylvania because of the budget cut: one in Montrose, Susquehanna County, and one in Coatesville, Chester County, Mr. McHugh said.

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Exhibit "N"

20 May 2011 12:48 AM

Fracking with our food: how gas drilling affects farming

By Barry Estabrook



Photo: Gilt Taste

This story originally appeared on Gilt Taste.

There's a stunning moment in the Academy Award-nominated documentary *Gasland*, where a man touches a match to his running faucet — to have it explode in a ball of fire. This is what hydraulic fracturing, a process of drilling for natural gas known as “fracking,” is doing to many drinking water supplies across the country. But the other side of fracking — what it might do to the food eaten by people living hundreds of miles from the nearest gas well — has received little attention.

Unlike many in agriculture, cattle farmer Ken Jaffe has had a good decade. But lately he's been nervous, worried fracking will destroy his business. Jaffe's been good to his soil, and the land has been good to him. By rotating his herd of cattle to different pastures on his Catskills farm every day, he has restored the once-eroded land and built a successful business with his grass-fed and -finished beef. His Slope Farms sells meat to food co-ops, specialty meat markets, and high-end restaurants in New York City, about 160 miles to the southeast. “If you feed your micro-herd — the bacteria and fungi in the soil — then your big herd will do well, too,” he said when I visited him recently on a cool, sunny afternoon.

But a seam of black rock lies nearly a mile beneath the topsoil he has so scrupulously nurtured, and the deposit contains enormous quantities of natural gas. Profit-hungry energy companies — and the politicians that their campaign donations support — are determined to exploit that resource, even though it could destroy the livelihoods of thousands of small farmers like Jaffe who have sprung up in New York City's vibrant, alternative food shed.

Energy companies liberate the gas, which is trapped in tiny bubble-like pockets in the rock, by forcefully injecting chemicals diluted with millions of gallons of water into the rock. This fracking ruptures the earth, creating fissures through which the gas passes — along with a witch's brew of carcinogens, acutely poisonous heavy metals, and radioactive elements.

“For sustainable agriculture, fracking is a disaster,” says Jaffe. The gas rush started in the South and West, but has spread to the East and now affects 34 states. Under much of West Virginia, Ohio, Pennsylvania, and New York lies a 400-million-year-old geographic formation called the Marcellus Shale. Although estimates vary, the shale may hold 50 trillion cubic feet of recoverable natural gas, enough to meet New York state's needs for 50 years. To see what fracking can do to food production, Jaffe has only to look at what has happened to some of his colleagues in nearby Pennsylvania, where the first fracked well came into production in 2005, and where there are now more than 1,500.

Last year, the Pennsylvania Department of Agriculture quarantined 28 cattle belonging to Don and Carol Johnson, who farm about 175 miles southwest of Jaffe. The animals had come into wastewater that leaked from a nearby well that showed concentrations of chlorine, barium, magnesium, potassium, and radioactive strontium. In Louisiana, 16 cows that drank fluid from a fracked well began bellowing, foaming and bleeding at the mouth, then dropped dead. Homeowners near fracked sites complain about a host of frightening consequences, from poisoned wells to sickened pets to debilitating illnesses.



A fracking well in Pennsylvania. Photo: Riverkeeper

The Marcellus Shale itself contains ethane, propane, butane, arsenic, cobalt, lead, chromium — toxins all. Uranium, radium, and radon make the shale so radioactive that companies sometimes drop Geiger counters into wells to determine whether they have reached the gas-rich deposits. But those compounds are almost benign compared to the fracking fluids that drillers inject into the wells. At least 596 chemicals are used in fracking, but the companies are not required by law to divulge the ingredients, which are considered trade secrets. According to a report prepared for the Ground Water Protection Council, a national association of state agencies charged with protecting the water supply, a typical recipe [PDF] might include hydrochloric acid (which can damage respiratory organs, eyes, skin, and intestines), glutaraldehyde (normally used to sterilize medical equipment and linked to asthma, breathing difficulties, respiratory irritation, and skin rashes), N,N-dimethyl formamide (a solvent that can cause birth defects and cancer), ethylene glycol (a lethal toxin), and benzene (a potent carcinogen). Some of these chemicals stay in the ground. Others are vented into the air. Many enter the water table or leach into ponds, streams, and rivers.

For the most part, state and federal governments have turned a blind eye to the problems brought about by fracking. The Environmental Protection Agency claims that it has no jurisdiction to investigate matters related to food production, a contention disputed by Rep. Maurice Hinchey (D-N.Y.), who wrote a report urging the EPA to study all issues associated with fracking. A concerned farmer who prefers not to be identified forwarded me an email written to him by Jim Riviere, the director of the Food Animal Residue Avoidance Databank, a group of animal science professors that tracks incidents of chemical contamination in livestock. Riviere wrote that his group receives up to 10 requests per day from veterinarians dealing with exposures to contaminants, including the byproducts of fracking. Nonetheless, the United States Department of Agriculture has slashed funding to his group. “We are told by the newly reorganized USDA that chemical contamination is not their priority,” Riviere wrote.

“The dangers of fracking to the food supply are not something that’s been investigated very much,” said Emily Wurgh of Food and Water Watch, an environmental group based in Washington, D.C. “We have been trying to get members of Congress to request studies into effects of fracking on agriculture, but we haven’t gotten much traction.”

Fracking is not a new technology. It was first put into commercial use in 1949 by Halliburton, and that company has made billions from employing the extraction method. But it really wasn’t until 2004 that fracking really took off, the year that the EPA declared that fracking “posed little or no threat” to drinking water. Weston Wilson, a scientist and 30-year veteran of the agency, who sought whistleblower protection, emphatically disagreed, saying that the agency’s official conclusions were “unsupportable” and that five of seven members of the review panel that made the decision had conflicts of interest. (Wilson has continued to work at the EPA, and continues to be publicly critical of fracking.)

A year later, Congress passed the Energy Policy Act with a “Halliburton loophole,” a clause inserted at the request of Dick Cheney, who had been Halliburton’s CEO before becoming vice president. The loophole specifically exempts fracking from the Safe Drinking Water Act, the Clean Water Act, the CLEAR Act, and from regulation by the Environmental Protection Agency, and it unleashed the largest and most extensive drilling program in history, according to Josh Fox, the creator of the film *Gasland*.

In 2010, New York state imposed a moratorium on gas drilling, but if that were to be lifted, fracking would deal a triple whammy to Ken Jaffe’s farm, and thousands more like it. (Compare a map of the Marcellus Shale with one of small organic farms.)

Back on his pasture, Jaffe gestured to a pond in a bowl-like valley surrounded by sloping pastures and hillsides of maples, white pines, and blossoming wild cherries and apple trees, that, along with wells on the property, provides water for his animals. Given the geography of the land, any chemical contamination seeping from the rock would go directly into Jaffe’s water supply, poisoning his cattle.

And it’s not just his herd that’s vulnerable; all the plant life on his property would also be in danger. According to Jaffe, ozone is more lethal to crops than all other airborne pollutants combined, and of all crops, few are more susceptible to it than clover, a nutrient-rich feed that is critical to his method of sustainable cattle raising. While ozone is normally associated with automobile exhaust, fracking generates so much of it that Sublette County, Wyo., has ozone levels as high as *Los Angeles*. This, despite the fact that it has fewer than 9,000 residents spread out over an area the size of Connecticut. What it does have is gas wells.

Even if his cows and his land would somehow remain unaffected by nearby wells, Jaffe’s business would still likely suffer. Joe Holtz is manager of Brooklyn’s Park Slope Food Co-op, which buys a cow a week from Jaffe (and upwards of \$3 million products from other New York area farms). He says that his environmentally conscious organization would be forced to seek alternatives to New York meat and produce if fracking becomes commonplace. “If the air is fouled and the animals are drinking water that contains poisonous fracking chemicals, then products from those animals are going to have poisons,” he told me. Given the progress that small, local farms have made in the region, he says, the decision to stop dealing with long-term suppliers would be hard. But he adds, “We would have to stop buying from them. There is no doubt in my mind.”

A former contributing editor to *Gourmet* magazine, Barry Estabrook is the author of *Tomatoland: How Modern Industrial Agriculture Destroyed Our Most Alluring Fruit* and blogs at politicsoftheplate.com.

Chart A

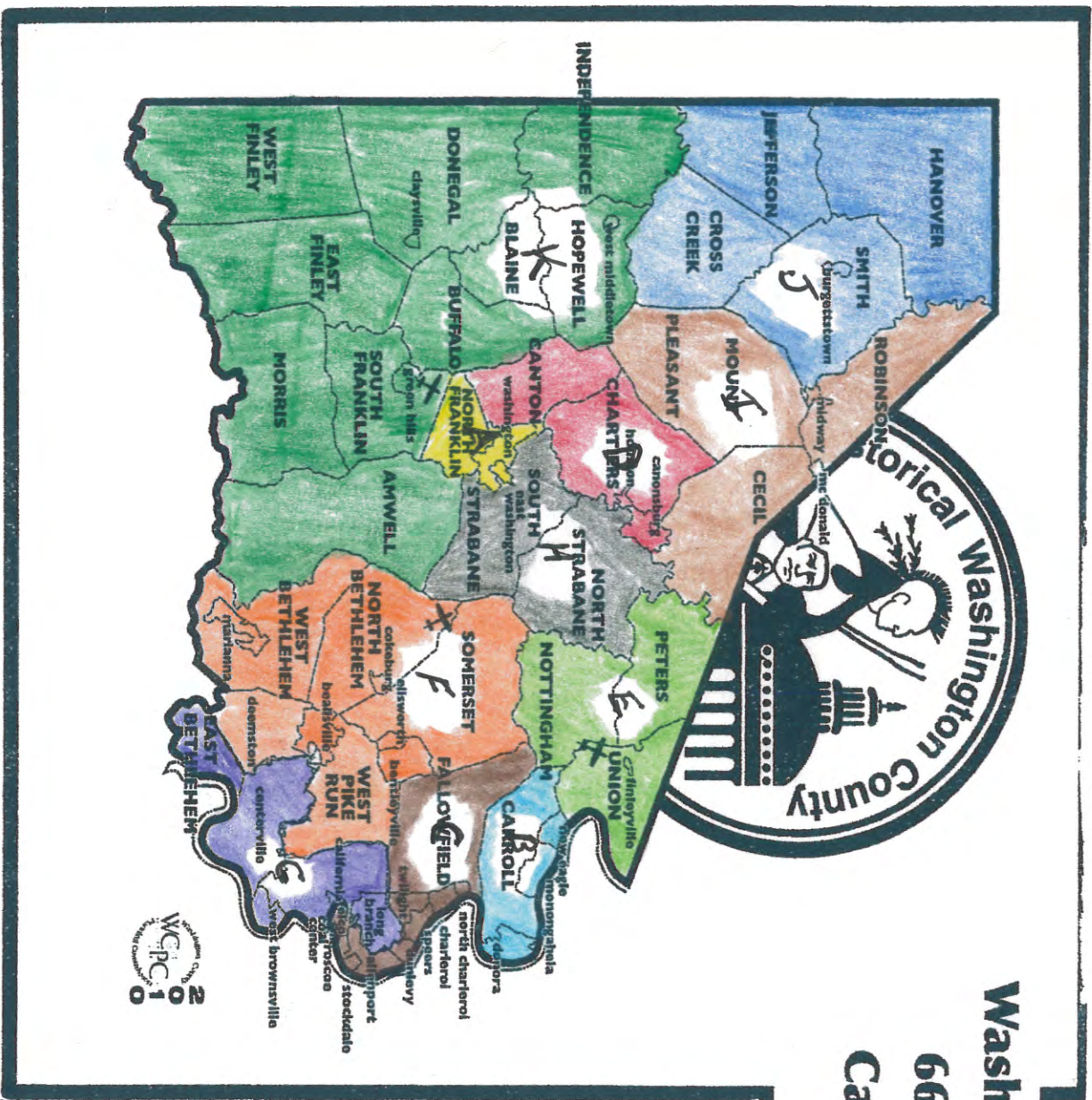
4th CLASS Counties 2010 CENSUS

Chart A

Counties	Population Total	Cities	Boroughs	1 st CLASS TOWNSHIPS	2 nd CLASS TOWNSHIPS	Dist. Judge	
Washington	207,210	66	2	32	1	31	11
Butler	183,862	57	1	23	1	32	7
Beaver	170,539	53	1	29	5	17	9
Monroe	169,842	20	-	4	0	16	5
Centre	153,990	35	-	10	0	25	6
Franklin	149,618	21	-	6	0	15	7
Schuykill	142,289	67	1	30	0	36	7
Cambria	142,679	63	1	32	1	29	10
Lancaster	132,106	49	9	16	0	21	8

Chart "B"

Magisterial Districts-- Present



Washington County has 66 municipalities. Can you find your home town?

- 27-1-01 Radlinger (A)
- 27-1-02 Wilson (B)
- 27-1-03 Hopkins (C)
- 27-2-01 Mark (D)
- 27-3-01 Ellis (E)
- 27-3-02 Thompson (F)
- 27-3-03 Kanalis (G)
- 27-3-05 Weller (H)
- 27-3-06 Costanzo (I)
- 27-3-07 Havelka (J)
- 27-3-10 Ward (K)



Chart "B"

