

## **Proposed Reestablishment Plan for the Magisterial District Courts of the 35<sup>th</sup> Judicial District, Mercer County, Pennsylvania**

As required pursuant to the constitution and statutory provisions, reestablishment is a process by which the Supreme Court of Pennsylvania reviews the boundaries of the magisterial districts within each judicial district, except the First Judicial District – Philadelphia County. This review is undertaken in each year following the official reporting of the decennial census figures. The review is based upon reported population figures, case types and filings, case weights, geographic positioning of the magisterial districts, and related issues.

To inform you of this process, and to offer the opportunity for public comment to the proposal, copies of the proposed plan are available for review at the Mercer County Courthouse, Mercer, PA 16137, in the Office of the District Court Administrator (3<sup>rd</sup> Floor) and in the Law Library (Basement Level). Copies are also available at each Magisterial District Court. Additionally, it may be viewed online at <https://www.mcc.co.mercer.pa.us/Courts/Forms.htm>.

All comments to the proposed plan must be in writing and received no later than February 27<sup>th</sup>, 2022. Comments specific to the proposed plan will be included with the proposed plan submitted to the Administrative Office of Pennsylvania Courts (AOPC). All comments must be addressed as follows:

Court Administration  
c/o Reestablishment Proposal Comments  
Mercer County Courthouse  
Mercer, PA 16137

Comments may also be e-mailed to [bmccleary@mcc.co.mercer.pa.us](mailto:bmccleary@mcc.co.mercer.pa.us) with “Reestablishment Proposal Comments” in the subject line.

## Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

<b>Magisterial District Court Number:</b>	35-2-01	<b>County:</b>	Mercer
1. Proposed plan for this magisterial district: Reestablish		2. Effective date: 1/1/2023	
<b>Caseload Analysis</b>			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 3,583	B. 3,788	C. 4,119
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-205	3rd out of 5
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-536	-13 %
6. If this magisterial district is at the lower end of the caseload range <b>and</b> you are proposing to <b>reestablish</b> (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
<b>Workload Analysis</b>			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 45,775	B. 39,587	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		6,188	15 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than your judicial district average workload</i> <b>and</b> you are proposing to <b>reestablish</b> this magisterial district, please explain ( <i>summarize your response from the plan</i> ) why this does not result in an unwarranted inequity among the judges.			
<p>The 15% above average workload does not result in an unwarranted inequity among the judges due to the geographic positioning of the district. If the district were to be realigned, the residents of Mercer County would be denied adequate access to the courts due to the distance they would be required to travel to court.</p>			

<b>Magisterial District Information</b>			
10. Magisterial District Judge (MDJ) Information:			
Dennis M. Songer	1/2/22	1/1/30	
<i>Magisterial District Judge Name</i>	<i>Birthdate</i>	<i>Term Expiration Date</i>	<i>Mandatory Retirement Date</i>
11. Magisterial District Court Information - Physical Location:			
1217 Hall Avenue, Sharon, PA 16146			
12. Is this court within the boundaries of the magisterial district?			Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?			Yes
14. Are all portions of the magisterial district contiguous?			Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES, please summarize your response below.			No/Not Sure
16. List any police departments located within this magisterial district.			
City of Sharon Police Department, Borough of Sharpsville Police Department			
17. List any major highways within this magisterial district.			
PA SR 62			
18. List the <b>current</b> municipalities for this magisterial district (alphabetically). For a list, click <a href="#">HERE</a> for Realignment Orders submitted in the past.			
City of Sharon, Sharpsville Borough			
19. Are the <b>proposed</b> municipalities the same as above? If NO, please list all proposed municipalities (alphabetically).			Yes
<b>20. Additional Comments:</b>			
All Pennsylvania State Police traffic cases occurring in the jurisdiction of MDJ 35-2-02 are to be filed and heard in MDJ 35-2-01. Any Pennsylvania Department of Revenue cases (summary citations for violations of sales tax) are to be filed and heard in MDJ 35-3-01.			

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<b>Magisterial District Court Number:</b> 35-2-02		<b>County:</b> Mercer	
1. Proposed plan for this magisterial district: Reestablish		2. Effective date: 1/1/2023	
<b>Caseload Analysis</b>			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 4,731	B. 3,788	C. 4,119
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		943	1st out of 5
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		612	15 %
6. If this magisterial district is at the lower end of the caseload range <b>and</b> you are proposing to <b>reestablish</b> (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
<b>Workload Analysis</b>			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 56,812	B. 39,587	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		17,225	44 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload <b>and</b> you are proposing to <b>reestablish</b> this magisterial district, please explain ( <i>summarize your response from the plan</i> ) why this does not result in an unwarranted inequity among the judges.			
<p>The 44% above average workload does not result in an unwarranted inequity among the judges due to the geographic positioning of the district. If the district were to be realigned, the residents of Mercer County would be denied access to the courts due to the distance they would be required to travel to court.</p>			

<b>Magisterial District Information</b>			
10. Magisterial District Judge (MDJ) Information:			
Mary A. Odem	12/31/23	1/1/56	
<i>Magisterial District Judge Name</i>	<i>Birthdate</i>	<i>Term Expiration Date</i>	<i>Mandatory Retirement Date</i>
11. Magisterial District Court Information - Physical Location:			
425 Idaho Street, Farrell, PA 16121			
12. Is this court within the boundaries of the magisterial district?			Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?			Yes
14. Are all portions of the magisterial district contiguous?			Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES, please summarize your response below.			No/Not Sure
16. List any police departments located within this magisterial district.			
City of Hermitage Police Department, SW Mercer County Regional Police Department, Shenango Township Police Department			
17. List any major highways within this magisterial district.			
PA SR 62, I-80, I-376, SR 18			
18. List the <b>current</b> municipalities for this magisterial district (alphabetically). For a list, click <a href="#">HERE</a> for Realignment Orders submitted in the past.			
City of Farrell, City of Hermitage, Shenango Township, West Middlesex Borough, Wheatland Borough			
19. Are the <b>proposed</b> municipalities the same as above? If NO, please list all proposed municipalities (alphabetically).			Yes
<b>20. Additional Comments:</b>			
All Pennsylvania State Police cases occurring in the jurisdiction of MDJ 35-2-02 are to be filed and heard in MDJ 35-2-01. Any misdemeanor or felony grade offense committed in Shenango Township and West Middlesex Borough are to be filed and heard in MDJ 35-3-01. Any misdemeanor or felony arrests made by Pennsylvania State Police in City of Farrell, City of Hermitage, Shenango Township, West Middlesex Borough, and Wheatland Borough are to be filed and heard in MDJ 35-3-01. Any Pennsylvania Department of Revenue cases (summary citations for violations of sales tax) are to be filed and heard in MDJ 35-3-01.			

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<b>Magisterial District Court Number:</b>	35-3-01	<b>County:</b>	Mercer
1. Proposed plan for this magisterial district: Reestablish		2. Effective date: 1/1/2023	
<b>Caseload Analysis</b>			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 3,983	B. 3,788	C. 4,119
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		195	2nd out of 5
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-136	-3 %
6. If this magisterial district is at the lower end of the caseload range <b>and</b> you are proposing to <b>reestablish</b> (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
<b>Workload Analysis</b>			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 33,932	B. 39,587	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		-5,655	-14 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload <b>and</b> you are proposing to <b>reestablish</b> this magisterial district, please explain ( <i>summarize your response from the plan</i> ) why this does not result in an unwarranted inequity among the judges.			

<b>Magisterial District Information</b>			
10. Magisterial District Judge (MDJ) Information:			
Daniel W. Davis	12/31/23	1/1/41	
<i>Magisterial District Judge Name</i>	<i>Birthdate</i>	<i>Term Expiration Date</i>	<i>Mandatory Retirement Date</i>
11. Magisterial District Court Information - Physical Location:			
123 West Market Street, Mercer, PA 16137			
12. Is this court within the boundaries of the magisterial district?			Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?			Yes
14. Are all portions of the magisterial district contiguous?			Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES, please summarize your response below.			No/Not Sure
16. List any police departments located within this magisterial district.			
Pennsylvania State Police, Mercer Borough Police Department, Jefferson-Clark Regional Police Department			
17. List any major highways within this magisterial district.			
PA SR 19, PA SR 62, I-80			
18. List the <b>current</b> municipalities for this magisterial district (alphabetically). For a list, click <a href="#">HERE</a> for Realignment Orders submitted in the past.			
Coolspring Township, Delaware Township, East Lackawannock Township, Fairview Township, Findley Township, Fredonia Borough, Jefferson Township, Lackawannock Township, Mercer Borough, Otter Creek Township, Perry Township, Salem Township, Sandy Creek Township, Sheakleyville Borough, Springfield Township, Wilmington Township			
19. Are the <b>proposed</b> municipalities the same as above? If <b>NO</b> , please list all proposed municipalities (alphabetically).			Yes
<b>20. Additional Comments:</b>			
Any misdemeanor or felony grade offense committed in Shenango Township and West Middlesex Borough are to be filed and heard in MDJ 35-3-01. Any misdemeanor or felony arrests made by Pennsylvania State Police in City of Farrell, City of Hermitage, Shenango Township, West Middlesex Borough, and Wheatland Borough are to be filed and heard in MDJ 35-3-01. Any Pennsylvania Department of Revenue cases (summary citations for violations of sales tax) are to be filed and heard in MDJ 35-3-01.			

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<b>Magisterial District Court Number:</b>	35-3-02	<b>County:</b>	Mercer
1. Proposed plan for this magisterial district: Reestablish		2. Effective date: 1/1/2023	
<b>Caseload Analysis</b>			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 3,519	B. 3,788	C. 4,119
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-269	4th out of 5
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-600	-15 %
6. If this magisterial district is at the lower end of the caseload range <b>and</b> you are proposing to <b>reestablish</b> (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
<b>Workload Analysis</b>			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 26,499	B. 39,587	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		-13,088	-33 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload <b>and</b> you are proposing to <b>reestablish</b> this magisterial district, please explain ( <i>summarize your response from the plan</i> ) why this does not result in an unwarranted inequity among the judges.			
<p>The 33% below average workload does not result in an unwarranted inequity among the judges due to the geographic positioning of the district. The office is located within a very low crime area and most of the district is very rural with one population center. If the district were to be realigned, the residents of Mercer County would be denied adequate access to the courts due to the distance they would be required to travel to court. This district is a considerable distance from higher caseload districts as well, so absorbing cases would make it difficult for court access by Mercer County residents.</p>			



<b>Magisterial District Information</b>			
10. Magisterial District Judge (MDJ) Information:			
D. Neil McEwen	1/2/22	1/1/45	
<i>Magisterial District Judge Name</i>	<i>Birthdate</i>	<i>Term Expiration Date</i>	<i>Mandatory Retirement Date</i>
11. Magisterial District Court Information - Physical Location:			
574 Barkeyville Road, Grove City, PA 16127			
12. Is this court within the boundaries of the magisterial district?			Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?			Yes
14. Are all portions of the magisterial district contiguous?			Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If <b>YES</b> , please summarize your response below.			No/Not Sure
16. List any police departments located within this magisterial district.			
Pennsylvania State Police, Grove City Police Department, Sandy Lake Police Department, Stoneboro Police Department			
17. List any major highways within this magisterial district.			
PA SR 62, PA SR 173, I-80, I-79			
18. List the <b>current</b> municipalities for this magisterial district (alphabetically). For a list, click <a href="#">HERE</a> for Realignment Orders submitted in the past.			
Deer Creek Township, French Creek Township, Grove City Borough, Jackson Township, Jackson Center Borough, Lake Township, Liberty Township, Mill Creek Township, New Lebanon Borough, New Vernon Township, Pine Township, Sandy Lake Borough, Sandy Lake Township, Stoneboro Borough, Wolf Creek Township, Worth Township			
19. Are the <b>proposed</b> municipalities the same as above? If <b>NO</b> , please list all proposed municipalities (alphabetically).			Yes
<b>20. Additional Comments:</b>			
Any Pennsylvania Department of Revenue cases (summary citations for violations of sales tax) are to be filed and heard in MDJ 35-3-01.			

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<b>Magisterial District Court Number:</b> 35-3-03		<b>County:</b> Mercer	
1. Proposed plan for this magisterial district: Reestablish		2. Effective date: 1/1/2023	
<b>Caseload Analysis</b>			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 2,485	B. 3,788	C. 4,119
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-1303	5th out of 5
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1634	-39 %
<p>6. If this magisterial district is at the lower end of the caseload range <b>and</b> you are proposing to <b>reestablish</b> (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.</p> <p style="margin-left: 40px;">The 39% below average caseload does not result in caseload equity due to the geographic positioning of the district. If the district were to be realigned, the residents of Mercer County would be denied adequate access to the courts due to the distance they would be required to travel to court.</p>			
<b>Workload Analysis</b>			
7. Average total workloads:	<i>Avg for Magisterial District</i>		<i>Avg for Judicial District</i>
	A. 34,915	B. 39,587	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		-4,672	-12 %
<p>9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload <b>and</b> you are proposing to <b>reestablish</b> this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.</p>			

<b>Magisterial District Information</b>			
10. Magisterial District Judge (MDJ) Information:			
Brian R. Arthur	1/2/22	1/1/40	
<i>Magisterial District Judge Name</i>	<i>Birthdate</i>	<i>Term Expiration Date</i>	<i>Mandatory Retirement Date</i>
11. Magisterial District Court Information - Physical Location:			
14 North Race Street, Greenville, PA 16125			
12. Is this court within the boundaries of the magisterial district?			Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?			Yes
14. Are all portions of the magisterial district contiguous?			Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If <b>YES</b> , please summarize your response below.			No/Not Sure
16. List any police departments located within this magisterial district.			
<small>Greenville-West Salem Police Department, Hempfield Township Police Department, Jamestown Police Department, Jefferson-Clark Regional Police Department, Pymatuning Township Police Department, South Pymatuning Police Department</small>			
17. List any major highways within this magisterial district.			
PA SR 18, PA SR 58, PA SR 358			
18. List the <b>current</b> municipalities for this magisterial district (alphabetically). For a list, click <a href="#">HERE</a> for Realignment Orders submitted in the past.			
Clark Borough, Greene Township, Greenville Borough, Hempfield Township, Jamestown Borough, Pymatuning Township, South Pymatuning Township, Sugar Grove Township, West Salem Township			
19. Are the <b>proposed</b> municipalities the same as above? If <b>NO</b> , please list all proposed municipalities (alphabetically).			Yes
<b>20. Additional Comments:</b>			
Any Pennsylvania Department of Revenue cases (summary citations for violations of sales tax) are to be filed and heard in MDJ 35-3-01.			