



# Amicus

A newsletter for employees of the  
Supreme Court of  
Appeals of West Virginia  
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## In this edition:

Access to Justice public forums

Business Court

Children's Services notices

Truancy regional meetings

PEIA notice

Library news

Drug Court news

Clerks' offices throughout West Virginia will be closed on October 4 due to the special gubernatorial election. This is a statewide holiday, and, as a result, the Supreme Court Clerk's Office, circuit clerks' offices, and magistrate clerks' offices will be closed. This is a legal holiday and a day off for judicial employees.

## Supreme Court launches new website to the public this week

The Supreme Court of Appeals of West Virginia started its Fall 2011 term this week by launching a new website, [www.courtswv.gov](http://www.courtswv.gov).

The website contains all the information on the previous website, [www.state.wv.us/wvsca](http://www.state.wv.us/wvsca), plus many new features containing details about the judicial system to make West Virginia courts more accessible to the public.

The new domain name is designed to make it easier to find. The old website will remain active but will not be updated; all visitors will be redirected to the new site.

The website has a unified look and feel on all the pages. The consistency improves the user experience and also makes the website much easier to maintain and update, making the information more accurate and timely.

The new website design and contents are the result of a multi-year effort of the Internet Committee of the Supreme Court. The Committee is led by Supreme Court Clerk Rory Perry and Public Information Officer Jennifer Bundy and is made up of representatives of all divisions within the Court.

## Tentative regional Truancy meetings announced

Supreme Court Justice Robin Jean Davis and Nineteenth Circuit Judge Alan Moats have released the tentative schedule of their regional meetings on truancy. The public is invited to all the meetings and no registration is needed.

The schedule is tentative because something emergent may come up either before the Supreme Court or before Judge Moats in Barbour or Taylor Counties that would necessitate rescheduling.

- 10 a.m. Tuesday, Sept. 13, Courtroom No. 4, old Kanawha County Courthouse, Charleston
- 10 a.m. Thursday, Sept. 15, Circuit Judge Thomas A. Bedell's Courtroom, Harrison County Courthouse, Clarksburg
- 10 a.m. Friday, Sept. 16, Courtroom No. 1, Monongalia County Courthouse, Morgantown
- 10 a.m. Friday, Sept. 23, Main Courtroom, Greenbrier County Courthouse, Lewisburg
- 10 a.m. Friday, Oct. 7, Courtroom No. 3, Cabell County Courthouse, Huntington
- 10 a.m. Thursday, Oct. 27, Circuit Judge Gary Johnson's Courtroom, Nicholas County Courthouse, Summersville
- 10 a.m. Friday, Oct. 28, Courtroom No. 302, Logan County Courthouse, Logan
- 10 a.m. Tuesday, Nov. 1, Berkeley County Judicial Center, Martinsburg
- 10 a.m. Wednesday, Nov. 2, Mineral County Courthouse, Keyser
- 10 a.m. Thursday, Nov. 3, Randolph County Courthouse, Elkins
- 10 a.m. Friday, Nov. 4, Courtroom B, Raleigh County Courthouse, Beckley
- 10 a.m. Monday, Nov. 7, Main Circuit Court Courtroom, Mason County Courthouse, Point Pleasant
- 10 a.m. Monday, Nov. 14, Circuit Judge Arthur Recht's Courtroom, City/County Building, Wheeling
- 10 a.m. Tuesday, Nov. 15, Circuit Judge J.D. Beane's Courtroom, Wood County Judicial Building, Parkersburg

Justice Davis encourages parents, educators, social service workers, court officials, and anyone who works with children on a daily basis to attend. Justice Davis has been appointed by the Supreme Court to coordinate and expand judicial truancy programs in West Virginia.

She will be accompanied at all the meetings by Judge Moats, who began an anti-truancy and dropout program in his area when he realized he was seeing many of the same people appear before him in criminal cases who had appeared before him in truancy cases. He did some research and discovered that more than fifty percent of Barbour and Taylor County students miss more than ten days of school each year.

## Business Court Committee works on draft rules

The Supreme Court's Business Court Committee met Thursday, August 18, to work on the second draft of rules for the operation of business courts in West Virginia.

The Committee agreed

- The Court will be called a Commercial Litigation Court (the word "Complex" will not be in the title);
- The Court will have seven judges in seven regions centered in the state's largest population areas;
- The judges will be appointed by the Supreme Court Chief Justice to staggered terms of seven years;
- The Chief Justice will appoint a Chief Judge to oversee administrative matters;
- All judges on the Court will have special training in business litigation matters; and
- The Court will abide by West Virginia Trial Court Rules but will make an effort to conclude every case within twelve months of the date the case management order in that case was filed.

The Committee also refined the types of cases that will and will not be under the jurisdiction of the Commercial Litigation Court.

"The whole purpose is to get an expedited conclusion to these business disputes," said Judge Darrell Pratt, Chairman of the Business Court Committee.

The Committee will meet again in late September with an invited group of stakeholders to refine the rules before issuing them for public comment later this fall, said Judge Pratt, of the Twenty-Fourth Judicial Circuit (Wayne County).

After the public comment period, the rules will be presented to the Supreme Court, which must approve them before a Business Court is established in West Virginia.

### Robes to Schools

Attention Judges and Magistrates:

The school year has started again and we are ready to help you find schools you would like to visit when you can read to school children or talk about the justice system.

Contact Kandi Greter at 304-340-2755 or [Kandi.greter@courtswv.gov](mailto:Kandi.greter@courtswv.gov) if you would like to participate.

## Access to Justice Commission hosts public forums across state

The West Virginia Access to Justice Commission has started hosting public forums to discuss access to justice barriers in West Virginia. Information gathered from the hearings will be used to conduct a needs assessment regarding civil legal representation in the state.

The first hearing was held August 16 in Beckley and the second hearing was held August 29 in Martinsburg. The rest of the meetings will be held in Huntington (September 12), Wheeling (September 26), Morgantown (November 1), and Charleston (November 15).

The hearing panel consists of West Virginia Access to Justice Commissioners. Local legislators, judges, city and county representatives have been invited to attend.

The Commission also has encouraged those who have experienced barriers to the civil legal system to sign up to speak at one of the public forums.

The West Virginia Supreme Court established the Access to Justice Commission on January 29, 2009, by Administrative Order. The purpose of the commission is to help West Virginians overcome barriers within the civil legal system. These hearings will allow the Commission to identify those barriers.

For those interested in speaking at the hearings or needing language or disability assistance, please contact Deborah Bogan at 304-558-0145 or by email at [deborah.bogan@courtswv.gov](mailto:deborah.bogan@courtswv.gov). All speakers will have a designated period of time allotted to them to convey their messages.

### PEIA Notice

#### Optional Life Premiums

September 1 is the time of the year that is significant to you if you are a PEIA policyholder of Optional Life (OL) insurance and have attained a new "age band category." The OL age band is tiered in increments of five years. For an example, an age band could represent age 30-34 or 35-39 and so on until you reach age 70. In the event you had a birthday prior to or on September 1, that rolled you into a new age band category and your new insurance premium would be reflected on the September 15, 2011, paycheck.

If you want to verify that your premium is correct, you can do so by going online to PEIA's website, [www.peia.wv.gov](http://www.peia.wv.gov), go to Forms and Downloads and click on Members. This will take you to Downloads, then click on Shopper's Guide 2012. The OL rates are located on pages 33 and 34. Your pay stub or eNOD may reflect **PEIA-OPT-MO-TS** which indicates you participate in the tax-sheltered premium program. If you are not a participant in the tax-sheltered premium program, your pay stub will appear as **PEIA-OPT-MO**.

## Juvenile Drug Court News

July 17-20 — All ten Juvenile Drug Court Probation Officers, three Juvenile Drug Court Judges, Probation Services Director Mike Lacy and Deputy Director for Juvenile Drug Courts Lora Maynard attended the seventeenth Annual National Drug Court Training Conference at National Harbor, Maryland.

August 12 — Mr. Lacy and Ms. Maynard gave a presentation on West Virginia Juvenile Drug Court at the 2011 Office of Juvenile Justice and Delinquency Prevention's Thirteenth National Enforcing Underage Drinking Laws Leadership Conference in Orlando, Florida.

August 25 — Putnam County Juvenile Drug Court held its first graduation with four graduates. Mike Lacy attended and presented Certificates of Recognition to the graduates on behalf of the Supreme Court of Appeals of West Virginia.

August 25 — Wayne County also had a Juvenile Drug Court graduation with one graduate. Lora Maynard attended and presented a Certificate of Recognition to the graduate.

## Adult Drug Court News

September 15 — The Kanawha County Drug Court will host a graduation ceremony at 3 p.m. in the Kanawha County Courthouse Ceremonial Court Room Four in Charleston.

## Other announcements

- The three **Ninth Judicial Circuit Judges** will present a plan to work with educators in Mercer County to combat truancy to the Mercer County Board of Education on Thursday, September 15.

The public meeting will be at noon at the Seminar Center in the Mercer County Technical Education Center, 1397 Stafford Drive, Princeton.

Judges Omar J. Aboulhosn, William J. Sadler, and Derek C. Swope, will talk. The judges' concern about truancy is part of a statewide effort of the judiciary to intervene in the lives of juveniles earlier and more effectively because statistics show that students who are habitually truant grow up to become habitual adult criminals.

- The next Oversight Board meeting of the **Court Improvement Board** will be from 10:30 a.m. to 2:30 p.m. on Friday, October 28, 2011, at the Coalition Against Domestic Violence office in Elkview.
- November is **National Adoption Month**. If any court is planning a celebration and would like to spotlight adoptions from foster care that will be finalized in November, please contact Nikki Tennis at 304-340-2304 or [Nikki.tennis@courtswv.gov](mailto:Nikki.tennis@courtswv.gov). More information on National Adoption Month is available at [www.childwelfare.gov/adoption/nam/](http://www.childwelfare.gov/adoption/nam/).
- **Court Improvement Program Cross-Training Conferences** will be held July 23-24, 2012, at the Charleston Marriott and July 26-27, 2012, at Lakeview Resort in Morgantown.

# State Law Library News

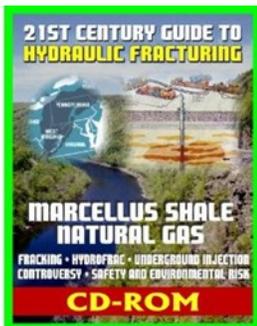
## Workshops

A free legal workshop on **Veterans Legal Benefits** was held on Wednesday, August 17, in the State Law Library. Mike Lyons, Operations Manager of the West Virginia Department of Veterans Assistance (WVDVA), discussed State and Federal benefits available and described how the appeal process works. Veterans in the state of West Virginia have free representation from WVDVA during the claim and appeal process.

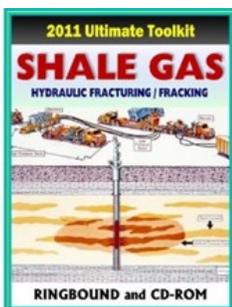
Veteran benefits include education and training, life insurance, pension programs, free or low cost medical care, and disability compensation. The WVDVA provides assistance to Korean and Vietnam veterans exposed to certain chemicals, defoliants, herbicides, or other causative agents, including Agent Orange from the US Department of Veterans Affairs, Medicine and Surgery.

## Acquisitions

The library has recently purchased the following materials which may be borrowed by any judicial personnel by calling the State Law Library at (304) 558-2607:



*21st Century Guide to Hydraulic Fracturing, Underground Injection, Fracking, Hydrofrac, Marcellus Shale Natural Gas Production Controversy, Safety and Environmental Risks, (CD-ROM).*



*2011 Ultimate Toolkit on Shale Gas, Hydraulic Fracturing, Fracking, Hydrofrac, the Marcellus Shale Natural Gas Controversy, Environmental and Safety Risks, Water Pollution (Ringbound).*