

# Circuit Courts

## 2015 Circuit Court Criminal Case Filings

	Total	Felony	Magistrate Appeals	Misdemeanor	Other Criminal Cases
Barbour	106	63	0	11	32
Berkeley	541	226	1	8	306
Boone	178	133	0	45	0
Braxton	65	48	1	1	15
Brooke	114	101	0	3	10
Cabell	943	560	10	159	214
Calhoun	43	40	1	2	0
Clay	42	37	1	1	3
Doddridge	49	29	1	2	17
Fayette	187	169	3	0	15
Gilmer	85	27	2	1	55
Grant	114	69	5	8	32
Greenbrier	265	186	4	44	31
Hampshire	184	133	5	8	38
Hancock	192	149	1	18	24
Hardy	70	54	1	0	15
Harrison	456	277	2	12	165
Jackson	116	113	0	3	0
Jefferson	154	132	6	16	0
Kanawha	1,280	749	14	186	331
Lewis	258	141	3	9	105
Lincoln	137	116	0	3	18
Logan	243	173	1	22	47
Marion	334	202	9	38	85
Marshall	114	106	2	6	0
Mason	152	107	1	5	39
McDowell	214	195	6	13	0
Mercer	882	354	14	26	488
Mineral	244	160	2	21	61
Mingo	249	173	0	17	59
Monongalia	378	344	7	10	17
Monroe	0	0	0	0	0
Morgan	86	63	4	7	12
Nicholas	117	92	0	0	25
Ohio	101	73	1	0	27
Pendleton	15	14	1	0	0
Pleasants	21	21	0	0	0
Pocahontas	45	23	1	6	15
Preston	176	57	1	6	112
Putnam	339	154	12	17	156
Raleigh	865	493	3	90	279
Randolph	176	98	4	13	61
Ritchie	32	27	0	1	4
Roane	86	82	0	2	2
Summers	73	59	0	2	12
Taylor	148	90	3	9	46
Tucker	35	21	3	2	9
Tyler	32	24	3	3	2
Upshur	107	90	2	14	1
Wayne	351	208	2	36	105
Webster	47	47	0	0	0
Wetzel	65	57	1	7	0
Wirt	28	26	2	0	0
Wood	384	239	8	4	133
Wyoming	168	125	5	38	0
<b>Total</b>	<b>11,886</b>	<b>7,549</b>	<b>159</b>	<b>955</b>	<b>3,223</b>

## 2015 Circuit Court Civil Case Filings

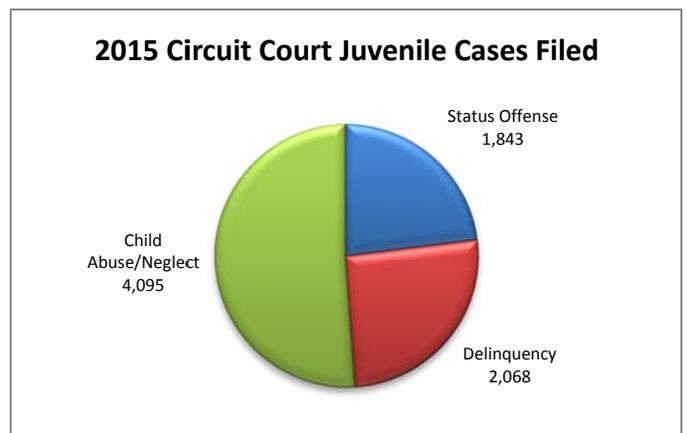
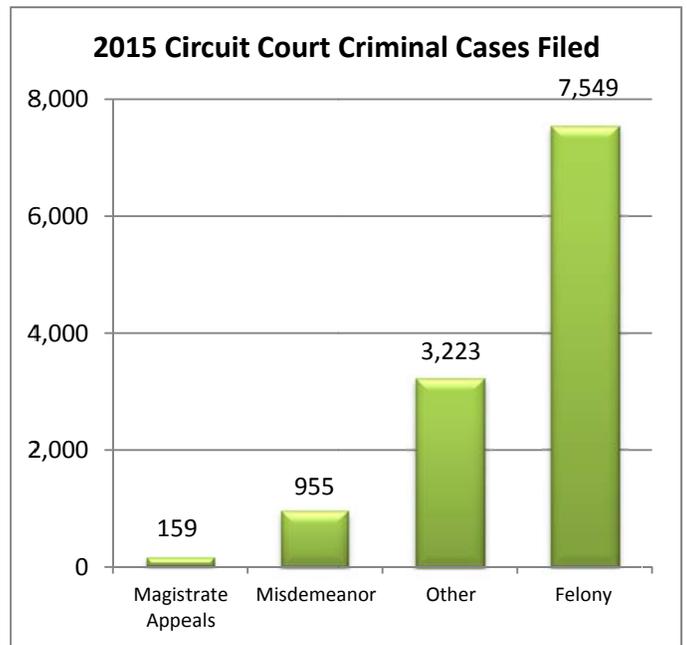
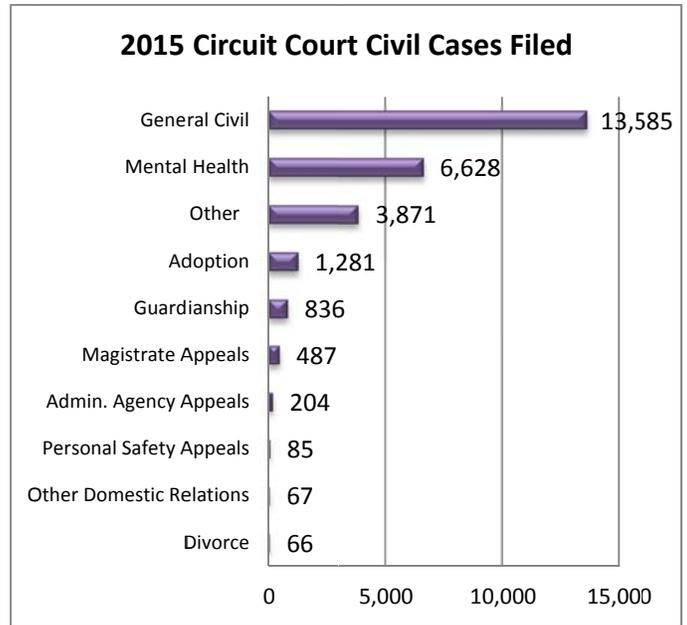
	Total	Admin. Agency Appeals	Adoption	Divorce	General Civil	Guardianship	Magistrate Appeals	Mental Health	Other Civil Cases	Other Domestic Relations	Personal Safety Appeals
Barbour	121	0	8	0	80	11	0	8	14	0	0
Berkeley	1,231	13	78	0	692	37	18	184	200	0	9
Boone	450	1	21	0	229	18	3	82	95	0	1
Braxton	150	1	9	0	58	3	1	27	51	0	0
Brooke	248	7	11	0	141	5	1	47	35	0	1
Cabell	2,250	3	57	0	872	65	18	1,062	173	0	0
Calhoun	64	0	19	0	23	0	2	12	7	1	0
Clay	126	0	31	0	47	5	2	11	29	1	0
Doddridge	99	0	9	0	57	0	1	18	14	0	0
Fayette	499	2	43	0	339	18	1	38	58	0	0
Gilmer	77	1	8	0	35	5	2	7	19	0	0
Grant	102	0	14	0	46	11	3	12	12	4	0
Greenbrier	365	1	22	0	222	25	1	61	32	0	1
Hampshire	166	1	12	0	114	6	5	10	18	0	0
Hancock	258	0	13	0	138	5	1	35	66	0	0
Hardy	132	0	7	0	63	4	3	16	37	2	0
Harrison	920	1	41	1	508	16	17	251	85	0	0
Jackson	307	1	32	0	158	20	1	60	33	0	2
Jefferson	625	4	24	0	501	22	11	61	0	0	2
Kanawha	4,807	132	120	0	2,032	122	185	1,520	682	0	14
Lewis	492	0	13	0	86	6	5	303	79	0	0
Lincoln	298	0	27	0	103	19	31	39	76	0	3
Logan	509	1	39	0	344	26	6	73	15	2	3
Marion	675	3	20	0	300	21	12	242	76	0	1
Marshall	494	0	14	46	209	10	7	131	73	2	2
Mason	309	0	20	0	142	8	0	85	51	1	2
McDowell	366	1	15	0	155	13	2	59	121	0	0
Mercer	933	7	54	0	425	57	10	243	129	0	8
Mineral	203	2	9	0	117	9	7	17	41	1	0
Mingo	404	3	24	0	300	11	4	43	19	0	0
Monongalia	1,609	1	26	0	818	19	47	188	509	0	1
Monroe	102	0	7	0	57	13	1	7	15	2	0
Morgan	194	2	12	1	100	10	4	30	33	2	0
Nicholas	290	2	26	0	138	13	3	34	74	0	0
Ohio	889	3	23	0	360	8	8	309	172	6	0
Pendleton	56	0	2	0	31	0	0	3	3	17	0
Pleasants	94	0	6	0	48	3	3	11	22	1	0
Pocahontas	133	0	8	0	56	1	2	37	29	0	0
Preston	341	1	22	0	207	13	4	36	57	0	1
Putnam	587	1	36	0	289	32	9	129	90	0	1
Raleigh	1,418	2	75	0	1,029	26	7	190	74	15	0
Randolph	324	2	12	0	197	7	9	32	59	0	6
Ritchie	91	0	8	0	48	1	1	13	20	0	0
Roane	131	1	11	0	54	6	3	29	25	1	1
Summers	85	0	10	0	52	6	0	4	13	0	0
Taylor	135	0	7	0	78	12	0	20	18	0	0
Tucker	60	1	7	0	32	7	0	3	10	0	0
Tyler	116	1	7	2	63	2	0	19	22	0	0
Upshur	213	0	14	3	119	8	2	5	59	2	1
Wayne	433	0	60	0	247	13	11	52	49	0	1
Webster	79	0	15	0	35	2	0	1	21	5	0
Wetzel	273	0	6	13	110	8	1	109	26	0	0
Wirt	47	0	3	0	28	1	2	1	11	0	1
Wood	1,398	1	44	0	606	31	10	582	104	1	19
Wyoming	331	1	20	0	247	15	0	27	16	1	4
<b>Total</b>	<b>27,109</b>	<b>204</b>	<b>1,281</b>	<b>66</b>	<b>13,585</b>	<b>835</b>	<b>487</b>	<b>6,628</b>	<b>3,871</b>	<b>67</b>	<b>85</b>

## 2015 Circuit Court Juvenile Case Filings

	Total	Child Neglect and Abuse	Delinquency	Status Offense
Barbour	96	70	8	18
Berkeley	423	136	218	69
Boone	228	79	92	57
Braxton	136	103	7	26
Brooke	79	40	34	5
Cabell	816	346	284	186
Calhoun	67	56	4	7
Clay	59	54	5	0
Doddridge	40	24	11	5
Fayette	172	139	27	6
Gilmer	27	21	5	1
Grant	69	28	36	5
Greenbrier	127	84	24	19
Hampshire	101	58	26	17
Hancock	121	44	66	11
Hardy	58	14	15	29
Harrison	272	69	108	95
Jackson	80	69	7	4
Jefferson	152	53	74	25
Kanawha	458	365	66	27
Lewis	30	17	12	1
Lincoln	174	49	27	98
Logan	188	68	64	56
Marion	227	119	72	36
Marshall	160	76	67	17
Mason	83	25	17	41
McDowell	140	53	15	72
Mercer	502	259	73	170
Mineral	22	12	5	5
Mingo	120	73	18	29
Monongalia	174	97	27	50
Monroe	0	0	0	0
Morgan	72	36	24	12
Nicholas	169	124	19	26
Ohio	171	128	37	6
Pendleton	48	6	16	26
Pleasants	31	2	4	25
Pocahontas	64	24	15	25
Preston	93	70	10	13
Putnam	182	51	33	98
Raleigh	543	211	164	168
Randolph	123	70	33	20
Ritchie	33	17	7	9
Roane	86	59	9	18
Summers	60	27	10	23
Taylor	92	65	20	7
Tucker	29	5	20	4
Tyler	14	4	7	3
Upshur	54	22	25	7
Wayne	173	102	24	47
Webster	68	64	4	0
Wetzel	58	28	20	10
Wirt	27	16	4	7
Wood	284	202	35	47
Wyoming	131	62	14	55
<b>Total</b>	<b>8,006</b>	<b>4,095</b>	<b>2,068</b>	<b>1,843</b>

## 2015 Total Circuit Court Case Filings

	2015 Filings	Civil	Criminal	Juvenile
Barbour	323	121	106	96
Berkeley	2,195	1,231	541	423
Boone	856	450	178	228
Braxton	351	150	65	136
Brooke	441	248	114	79
Cabell	4,009	2,250	943	816
Calhoun	174	64	43	67
Clay	227	126	42	59
Doddridge	188	99	49	40
Fayette	858	499	187	172
Gilmer	189	77	85	27
Grant	285	102	114	69
Greenbrier	757	365	265	127
Hampshire	451	166	184	101
Hancock	571	258	192	121
Hardy	260	132	70	58
Harrison	1,648	920	456	272
Jackson	503	307	116	80
Jefferson	931	625	154	152
Kanawha	6,545	4,807	1,280	458
Lewis	780	492	258	30
Lincoln	609	298	137	174
Logan	940	509	243	188
Marion	1,236	675	334	227
Marshall	768	494	114	160
Mason	544	309	152	83
McDowell	720	366	214	140
Mercer	2,317	933	882	502
Mineral	469	203	244	22
Mingo	773	404	249	120
Monongalia	2,161	1,609	378	174
Monroe	102	102	0	0
Morgan	352	194	86	72
Nicholas	576	290	117	169
Ohio	1,161	889	101	171
Pendleton	119	56	15	48
Pleasants	146	94	21	31
Pocahontas	242	133	45	64
Preston	610	341	176	93
Putnam	1,108	587	339	182
Raleigh	2,826	1,418	865	543
Randolph	623	324	176	123
Ritchie	156	91	32	33
Roane	303	131	86	86
Summers	218	85	73	60
Taylor	375	135	148	92
Tucker	124	60	35	29
Tyler	162	116	32	14
Upshur	374	213	107	54
Wayne	957	433	351	173
Webster	194	79	47	68
Wetzel	396	273	65	58
Wirt	102	47	28	27
Wood	2,066	1,398	384	284
Wyoming	630	331	168	131
<b>Total</b>	<b>47,001</b>	<b>27,109</b>	<b>11,886</b>	<b>8,006</b>



Note: Mass litigation filings handled by the Mass Litigation Panel are not included in the 2015 filing totals. Please refer to the Mass Litigation section of this report for statistical information on mass litigation cases.

## Circuit Court Summary

West Virginia's fifty-five counties are divided into thirty-one circuits with seventy judges. The circuits vary in size; one has seven judges while nine have one judge. While every county has a courthouse where a judge presides, a single circuit can be composed of up to four counties.

Circuit Judges must have practiced law for at least five years. They serve eight year terms.

Circuit courts are trial courts of record. They have jurisdiction over all civil cases in which more than \$2,500 is at issue, with limited exceptions; all felonies and misdemeanors, and proceedings in *habeas corpus*, *mandamus*, *quo warranto certiorari*, and probation.

Circuit courts receive appeals from family courts, magistrate courts, municipal courts, and all administrative agencies except from the Division of Workers' Compensation.

In 2015, there were 47,001 cases filed in West Virginia's circuit court, an 8.7 percent decrease from 2014 cases filed. Of those, 27,109 were civil case filings, or about 57.7 percent; 11,886 criminal filings, or about 25.3 percent, were criminal cases; and 8,006 juvenile filings, or about 17.0 percent, were juvenile matters.

### Child Abuse and Neglect Overlap Cases

Types of petitions filed:	2015	2014	2013	2012	2011
Juvenile Administrative Order (JAA)	439	420	466	458	521
Juvenile Administrative Order where <i>Mandamus</i> was issued (JAM)	1	1	4	1	5
Family Infant Guardianship (FIG)	1,333	1,288	1,274	1,116	1,178
Circuit Court Infant Guardianship (CIG)	498	515	486	418	414
Circuit Court Infant Guardianship Removed (CIGR)	96	106	113	91	87

"Overlap" cases are generally defined as cases originating in family court that indirectly involve some allegations of child abuse and neglect, which is handled in circuit court.

- **Juvenile Administrative Orders (JAA):** A family court judge who suspects child abuse and/or neglect in a pending case issues a written referral to a Child Protective Services Office and sends copies to circuit court and the prosecuting attorney. A circuit judge then issues a JAA directing child protective services to assess the referral and make a written investigation report to circuit court within the timeframe specified within the JAA, typically forty-five days.
- **Juvenile Administrative Order where mandamus was issued (JAM):** If the written report is not filed within the time frame specified within the juvenile administrative order, or if the report indicates that filing a child abuse and neglect petition is not necessary and the circuit judge disagrees, the circuit judge may treat the family court referral as a petition for a writ of mandamus.
- **Family Infant Guardianship (FIG):** Originating in family court, a third party other than the parents may request to be the guardian of the child.
- **Circuit Court Infant Guardianship (CIG):** Originating in circuit court, a third party other than the parents may request to be the guardian of the child.
- **Circuit Court Infant Guardianship Removed (CIGR):** Originating in family court when the family court judge suspects there has been child abuse and neglect, the family court judge will submit a written referral to child protective services and the guardian case is removed to circuit court.

# Electronic Filing and Service in Mass Litigation

As reported by the Mass Litigation Manager

93,923 documents were e-filed and 3,004,392 documents were e-served from January 2015 through December 2015 in all Mass Litigation cases subject to electronic filing and service. These statistics include items rejected in the clerk review process in order to capture all work performed in the three circuit court clerks' offices in these litigations, as well as orders, which do not go through the clerk review process.

During 2015, there were 596,327 pages electronically filed in all Mass Litigation cases subject to electronic filing and service. This translates to more than 248 boxes of paper, based on 2400 pages per box. From December 2008, when electronic filing and service was first implemented in certain Mass Litigation cases, through the end of December 2015, there were 557,700 documents filed electronically, for a total of 3,465,282 pages filed. This translates to over 1,443 boxes of paper.

From January 2015 through December 2015, a total of 5,281 orders were entered in Mass Litigation cases subject to electronic filing and service. This includes bench orders entered by the judge but filed by a circuit clerk or attorney. The following is a breakdown of orders by each Mass Litigation subject to electronic filing and service:

<b>Litigation</b>	<b>Jan-Dec 2015</b>
Asbestos	5,026
Carbon Monoxide	50
Float-Sink	5
LPG Land	11
Marcellus Shale	94
Mingo County Coal Slurry	18
Mountain State University	22
Tobacco	22
University Commons	21
Zoloft	12
<b>TOTAL</b>	<b>5,281</b>