

West Virginia Court System

2013 Annual Report

Honorable Brent D. Benjamin
Chief Justice

Honorable Robin Jean Davis

Honorable Margaret L. Workman

Honorable Menis E. Ketchum

Honorable Allen H. Loughry II
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WEST VIRGINIA COURT SYSTEM

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WEST VIRGINIA COURT SYSTEM

From the Chief



At about the time the West Virginia Supreme Court of Appeals convened for its fall 2013 term, a statewide newspaper editorialized that "The court is making some serious strides in terms of ensuring that justice is given its rightful place." One Mountain State group which carefully follows our court observed, "Anyone who has been to the Supreme Court in its current alignment will see that these are justices that like each other, get along, are collegial and . . . the court is largely in the center and . . . is more predictable."

From personal experience, having been on the court since 2005, I can attest to how far we have come. There is, most certainly, civility among the five justices, collegiality. We do like one another even if we agree to disagree. And it was a distinct pleasure to welcome to the bench in 2013 our newest colleague, Justice Allen H. Loughry II.

In 2013 we made strides on such initiatives as electronic filing, the code of professional responsibility, the rules of appellate procedure, the code of judicial conduct, by-laws for the West Virginia State Bar, and rules of evidence.

The Business Court Division had a successful first full year of operation. We have strengthened the domestic violence and child abuse and neglect databases. Programs such as Access to Justice have helped people connect with their courts. The fight against truancy is being fortified. Juvenile justice programs are being bolstered. The Lawyer Assistance Program has been revived. A civics outreach program in classrooms across our state has given young people a better understanding and

appreciation of the judiciary. New model jury instructions are being drafted and certified interpreters are now the standard throughout the court system.

I am pleased that our processing of cases has moved at an impressive rate. Our branch of government returned \$4 million to the state treasury to help fill a budget gap identified by the governor and legislators. Our twenty adult and sixteen juvenile courts serving thirty counties have diverted more than five hundred drug offenders from the prison system, cut recidivism, and saved taxpayers \$17 million in an alternative to incarceration. Drug courts have made communities safer and families stronger and have given graduates a sense of pride, responsibility, and direction.

Working with the executive branch, the judiciary has made a commitment to the Justice Reinvestment program. We have kept an ongoing dialogue with the West Virginia University College of Law and the West Virginia State Bar. Our clerk, Rory Perry, and our administrator, Steve Canterbury, hold national leadership roles in their respective professional organizations. Our justices are making presentations to legal organizations and teaching in both national and international forums.

I am proud that our Supreme Court has had a most productive 2013.

Chief Justice Brent D. Benjamin is presented with a certificate by Huseyin Yildirim, president of the Justice Academy of Turkey, in June. Chief Justice Benjamin was one of eight American judges who were invited to advise Turkish judges on ways to improve the country's justice system. *Photo courtesy of the Justice Academy of Turkey*



Chief Justice Brent D. Benjamin, second from left, dining with Israeli Supreme Court President Asher D. Grunis, left; Shlomo Levin, director of the Institute of Advanced Judicial Studies in Israel, third from left; and Dr. Yigal Mersel of Israel, Secretary General of the International Organization for Judicial Training. The dinner was part of the International Conference on the Training of the Judiciary in November in Washington, D.C. *Photo by Steven Cohen*



Chief Justice Brent D. Benjamin talks to students about Law Day at the McDowell County Courthouse. *Photo by Michael Switzer*

West Virginia University College of Law Dean Joyce E. McConnell talks to Chief Justice Brent D. Benjamin at a reception for the Supreme Court and former Justice Franklin Cleckley in Morgantown on March 4. *Photo by Jennifer Bundy*





Photo by Steve Payne

Chief Justice Brent D. Benjamin

Chief Justice Brent D. Benjamin was elected to a twelve-year term on the Supreme Court of Appeals of West Virginia in November 2004. He previously served as Chief Justice in 2009. Chief Justice Benjamin is a native of Marietta, Ohio, and holds both a bachelor's degree and a Juris Doctor degree from The Ohio State University, where he played varsity sports. After graduation from law school in 1984, Chief Justice Benjamin joined Robinson & McElwee, PLLC, in its Charleston office, being a partner/member for most of his twenty years with the firm. His practice at the firm focused on general civil litigation, including civil rights, toxic torts, and complex litigation. Chief Justice Benjamin is a regular presenter and speaker at national and international forums on civil rights, equal access to justice, judicial selection, and judicial education, including the American Bar Association's Annual Meeting, the National Press Club in Washington, D.C., the International Association of Defense Counsel, and, most recently, to prosecutors and judges in Ankara and Antalya, Turkey, at the invitation of the Republic of Turkey. He also speaks frequently to law schools and bar-related groups, and he is a frequent guest on broadcasts and in print media on the judicial system and constitutional principles. On the Supreme Court of Appeals, Chief Justice Benjamin has been a leader in establishing and expanding treatment courts in West Virginia, including Drug Courts, Veterans Courts, and Mental Health Courts. As Chief Justice in 2013, he worked closely with Governor Earl Ray Tomblin to bring Justice Reinvestment to West Virginia, with legislative leaders to expand Drug Courts statewide, and he oversaw the establishment of electronic filing in circuit courts. He has actively advanced equal access to West Virginia courts, children's issues, drug and mental health issues, and domestic violence issues. As Chief Justice in 2009, he established West Virginia's Access to Justice Commission, a Compliance Committee on Prisons and Jails, a nationally-acclaimed Domestic Violence Database, and a statewide Mental Health Registry. As Chief Justice in 2013, he established the New View Project and other related projects to enhance the permanent placement of children in the foster care system. Before his election, Chief Justice Benjamin practiced before the United States Fourth Circuit Court of Appeals, the United States District Court for the Southern District of West Virginia, the Supreme Court of West Virginia, and various courts in the Commonwealth of Kentucky. He is a member of the bars of West Virginia and Kentucky. Away from his judicial duties, Chief Justice Benjamin is also a Fellow of the Salzburg Seminar in Austria, a graduate of Leadership West Virginia, and a member of the Hocking College Archaeological Mission. He previously was a member of the Amenmesse Project, co-sponsored by the Republic of Egypt's Supreme Council of Antiquities. He has actively participated in archaeological excavations in the United States and Egypt, including the recent discovery and excavation of tomb KV63 (the first intact tomb to be discovered in Egypt's Valley of the Kings since the discovery of the tomb of King Tutankhamun), and the continued excavation of KV10 and re-excavation of TT320 (also known as the "Royal Cache Tomb"). Chief Justice Benjamin attends Christ Church United Methodist. He is the father of five children and the grandfather of one.



Photo by Steve Payne

Justice Robin Jean Davis

Justice Robin Jean Davis was born in Boone County, West Virginia, on April 6, 1956. She is married to Scott Segal, and they have one son, Oliver. She received her bachelor's degree from West Virginia Wesleyan College in 1978, and her master's degree and law degree from West Virginia University in 1982. She was engaged in the private practice of law from 1982 until 1996 at the six-person law firm of Segal and Davis, L.C. She concentrated in the field of employee benefits and domestic relations. In 1993, she became the first lawyer in West Virginia to be inducted into the American Academy of Matrimonial Lawyers. In 1991, the Supreme Court of Appeals appointed her to the seven-person West Virginia Board of Law Examiners, on which she served until her election to the Supreme Court in 1996. She initially was elected to an unexpired term and was re-elected in November 2000 and November 2012 to full twelve-year terms. Justice Davis served as Chief Justice in 1998, 2002, 2006, 2007, and 2010. Justice Davis is the Supreme Court's designee to the Judiciary's Initiative on Truancy, and in that role she has held dozens of public meetings to encourage collaborative community truancy programs. Under her leadership as Chief Justice in 2010, the Court approved Revised Rules of Appellate Procedure, which modernize and comprehensively change the appellate process in West Virginia to provide a decision on the merits in every case. The Court in 2010 also approved new Rules of Juvenile Procedure. In her terms as Chief Justice, she initiated a number of programs which have proven to be essential to the Court's continuing work with children and families and that have allowed the Judicial Branch to remain current with the constant changes in technology. These initiatives include the Workers' Compensation Mediation Program; the expansion of parent education programs; Rules on Mass Litigation; the expansion of courtroom technology, including the video initial appearance pilot project; the creation of the West Virginia Trial Court Rules; the establishment of an online Child Abuse and Neglect Database; and additions to legal rules governing child abuse and neglect proceedings. In 2007 she led the West Virginia delegation to the National Judicial Leadership Summit in New York City, and she was responsible for the Court using a competitive federal grant to initiate the West Virginia Domestic Violence Registry. Under her guidance, the Supreme Court Administrative Office also received other major grants which have been used to improve the way the court system handles abuse and neglect cases. She expanded the Supreme Court's outreach efforts by taking the Court for the first time in recent years to Wheeling and Charles Town, the beginning of what are now regular out-of-Charleston argument dockets. She established the LAWS program for high school students and the Robes to Schools program for all West Virginia school students. In 2000, Justice Davis received the Distinguished West Virginian Award from then-Governor Cecil H. Underwood. In 2008 she received the Graduate of Distinction Award from the West Virginia Education Alliance. Justice Davis is the author of several *West Virginia Law Review* articles, including "A Tribute to Franklin D. Cleckley: A Compendium of Essential Legal Principles from his Opinions as a Justice on the West Virginia Supreme Court of Appeals"; "A Tribute to Thomas E. McHugh: An Encyclopedia of Legal Principles from his Opinions as a Justice on the West Virginia Supreme Court of Appeals"; and "An Analysis of the Development of Admitting Expert Testimony in Federal Courts and the Impact of that Development on West Virginia Jurisprudence." She is the co-author with Louis J. Palmer, Jr., of "Punitive Damages Law in West Virginia" and "Workers' Compensation Litigation in West Virginia: Assessing the Impact of the Rule of Liberality and the Need for Fiscal Reform." She is the co-author with former Justice Cleckley and Mr. Palmer of the *Litigation Handbook on West Virginia Rules of Civil Procedure*. She has given numerous presentations at West Virginia Judicial Association conferences and community forums. Justice Davis is the most senior member of the Supreme Court of Appeals.



Photo by Rick Lee

Justice Margaret L. Workman

Justice Margaret L. Workman was elected to the Supreme Court of Appeals in November 2008. She previously was elected to the Court in November 1988, when she became the first woman elected to the Court and the first woman elected to statewide office in West Virginia. Justice Workman was born in Charleston, the daughter of Mary Emma Thomas Workman and Frank Eugene Workman, a coal miner whose ancestors were among the first settlers of Boone County. Justice Workman attended Kanawha County public schools and was the first in her family to go to college. She attended West Virginia University and the West Virginia University College of Law. After she received her law degree in 1974, she served as assistant counsel to the majority of the U.S. Senate Public Works Committee, the chairman of which was Senator Jennings Randolph of West Virginia. She returned to West Virginia to work as a law clerk to the Thirteenth Judicial Circuit (Kanawha County). In 1976, she served as an advance person in the Carter Presidential Campaign, and she later worked on the campaign staff of then-Governor Jay Rockefeller. She then opened her own law office in Charleston. In 1981, Justice Workman became the youngest circuit court judge in the state when then-Governor Jay Rockefeller appointed her to the Kanawha County Circuit Court. She ran for the unexpired term in 1982 and the full term in 1984. As a circuit judge, Justice Workman inherited West Virginia's largest backlog of cases, and during her tenure on the court reduced it to the lowest level in the judicial circuit. She held more jury trials than any other circuit judge in the state during the same period. She also visited every prison and secure juvenile correctional facility in West Virginia. After her election to the Supreme Court in 1988, Margaret Workman served as Chief Justice in 1993 and 1997. In her capacity as Chief Justice, she fostered a close working relationship between the court system and domestic violence programs, and she visited many shelters to learn how the court system could be more effective in addressing domestic violence. Justice Workman created the Task Force on Gender Fairness in the Courts and the Task Force on the Future of the Judiciary. She formed the Broadwater Committee, which made reforms in the court system's response to children's issues and spearheaded the development of rules governing child abuse and neglect cases. In her tenure as Chief Justice in 2011, she focused on improving rehabilitation services for juveniles and established the Adjudicated Juvenile Rehabilitation Commission, which was instrumental in initiating changes in facilities and programming at juvenile facilities throughout West Virginia. Justice Workman has been active in church and community activities, and she is the mother of Lindsay, Chris, and Ted Gardner, and the grandmother of Lilly Elizabeth Gardner.



Justice Menis E. Ketchum

Justice Menis E. Ketchum was elected to a full twelve-year term of the Supreme Court of Appeals on November 4, 2008. He served as Chief Justice in 2012. Justice Ketchum was born in 1943 in Huntington, West Virginia, and was raised in Wayne County. He was educated in Wayne County public schools before attending Ohio University in Athens, Ohio, where he played varsity baseball and was a member of the 1964 Mid-American Conference Championship Baseball Team. Justice Ketchum returned to West Virginia to attend West Virginia University College of Law. While in law school he was a contributing writer and associate editor of the *West Virginia Law Review*. He received his law degree in 1967 and returned to Huntington to join his father, Chad W. Ketchum (1911-1998), in the practice of law with the firm of Greene, Ketchum & Baker. He practiced at that firm and its successors, eventually becoming the senior partner, until his election to the Court. Justice Ketchum's law practice included insurance defense, personal injury, and criminal defense. He was recognized continuously from 1989 to 2008 in *The Best Lawyers in America* and was a member of the Leading Honoraries, the American College of Trial Lawyers, and the American Board of Trial Advocates. Throughout his legal career he published legal articles and presented numerous continuing legal education seminars. Justice Ketchum also served as a member of the Board of Governors of Marshall University from 2002 until his campaign for the Court, and served as Chairman or Vice-Chairman of the Board from 2003 until 2008. At the time of his election to the Court, he served on the Boards of the Public Defender Corporations for the Sixth and Twenty-Fourth Judicial Circuits. He previously served on the Huntington Urban Renewal Authority, participated in the statewide Vision Shared Health Care Team, and the Governor's Mine Safety Task Force. Justice Ketchum has been married to the former Judy Varnum since 1966. They have three children – Kelli Morgan, Bert Ketchum, and Chad Ketchum – and six grandchildren.



Justice Allen H. Loughry II

Justice Allen H. Loughry II was elected to a twelve-year term on the Supreme Court of Appeals of West Virginia in 2012. He was born in Elkins, West Virginia, in 1970 and raised in Tucker County, West Virginia. He obtained four law degrees: an S.J.D. (Doctor of Juridical Science) from The American University, Washington College of Law; an LL.M. (Master of Laws in Criminology and Criminal Justice) from the University of London; an LL.M. (Master of Laws in Law and Government) from The American University, Washington College of Law; and a J.D. (Juris Doctor) degree from Capital University School of Law, where he graduated with the honor of Order of the Curia. On October 4, 2013, American University Washington College of Law awarded him its Distinguished Alumnus Award. He studied law in England at the University of Oxford and received the program's top political science award. He has a Bachelor of Science degree in Journalism from West Virginia University. While there, he served on the West Virginia University Judicial Board. Justice Loughry was a Senior Assistant Attorney General in the West Virginia Attorney General's Office from 1997 to 2003. He served in both the Appellate and Administration Divisions. He was appointed as a special prosecuting attorney on numerous occasions to handle criminal cases throughout West Virginia. Justice Loughry has argued a significant number of cases before the West Virginia Supreme Court in addition to having argued or filed legal pleadings in the Supreme Court of the United States, the United States Court of Appeals for the Fourth Circuit, and the United States District Courts for the Southern and Northern Districts of West Virginia and the Southern District of Florida, among other legal forums. Justice Loughry served as a Special Assistant to U.S. Rep. Harley O. Staggers, Jr., and as a Direct Aide to West Virginia Governor Gaston Caperton. In 1997, he completed a legal externship at the Ohio Supreme Court. He also served as a personal assistant to the Tucker County Prosecuting Attorney in 1988 and 1989. Additionally, he wrote for two newspapers (*The Parsons Advocate* and *The [Morgantown] Dominion-Post*) and was a freelance writer for The Associated Press. Justice Loughry began working as a lawyer at the Supreme Court of Appeals of West Virginia in 2003. In 2006, his book, *Don't Buy Another Vote, I Won't Pay for a Landslide*, was published. It is a non-partisan look at West Virginia's history of political corruption. Forwards were written by U.S. Senator John McCain (R-AZ) and the late U.S. Senator Robert C. Byrd (D-WV). Justice Loughry began teaching political science at the University of Charleston in 2010. Due to his academic and professional background, Justice Loughry is a frequent speaker throughout the country on issues of government, ethics reform, politics, history, education, and the election process. Justice Loughry and his wife, Kelly, a native of Morgan County, West Virginia, have one son, Justus. They live in Charleston.

West Virginia Judicial System

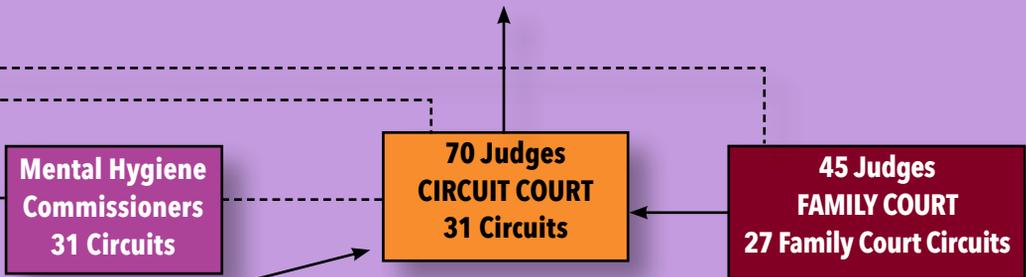
Administrative Office



Court Of Last Resort

Jurisdiction:

Original jurisdiction in proceedings of *habeas corpus*, *mandamus*, and prohibition. Appellate jurisdiction in civil cases at law over \$100 or in equity, in cases involving constitutionality of a law, in felony and misdemeanor matters appealed from circuit court. Appeals of divorce and other domestic relations decisions in family court if both parties agree not to appeal first to circuit court. The Supreme Court also receives workers' compensation appeals directly from the state administrative agency and receives other state administrative appeals from the circuit court.



Trial Court Of General Jurisdiction

Jurisdiction:

Civil cases at law of \$2,500 or more in equity, with limited exceptions. Felonies and misdemeanors. Juvenile matters. Appeals *de novo* or on the record from magistrate court and municipal court. Appeals from state administrative agencies, excluding workers' compensation. Appeals from family court decisions. Child abuse and neglect.

Trial Court Of Limited Jurisdiction

Jurisdiction:

Divorce, annulment, separate maintenance, family support, paternity, child custody, visitation. Final protective orders in domestic violence appeals from magistrate court.



Trial Court Of Limited Jurisdiction

Jurisdiction:

Civil actions of \$5,000 or less. Felony preliminary hearings. Misdemeanors. Landlord-tenant matters. Traffic violations. Emergency protective orders in domestic violence cases.

MUNICIPAL COURT

Municipal Court

Trial Court Of Limited Jurisdiction

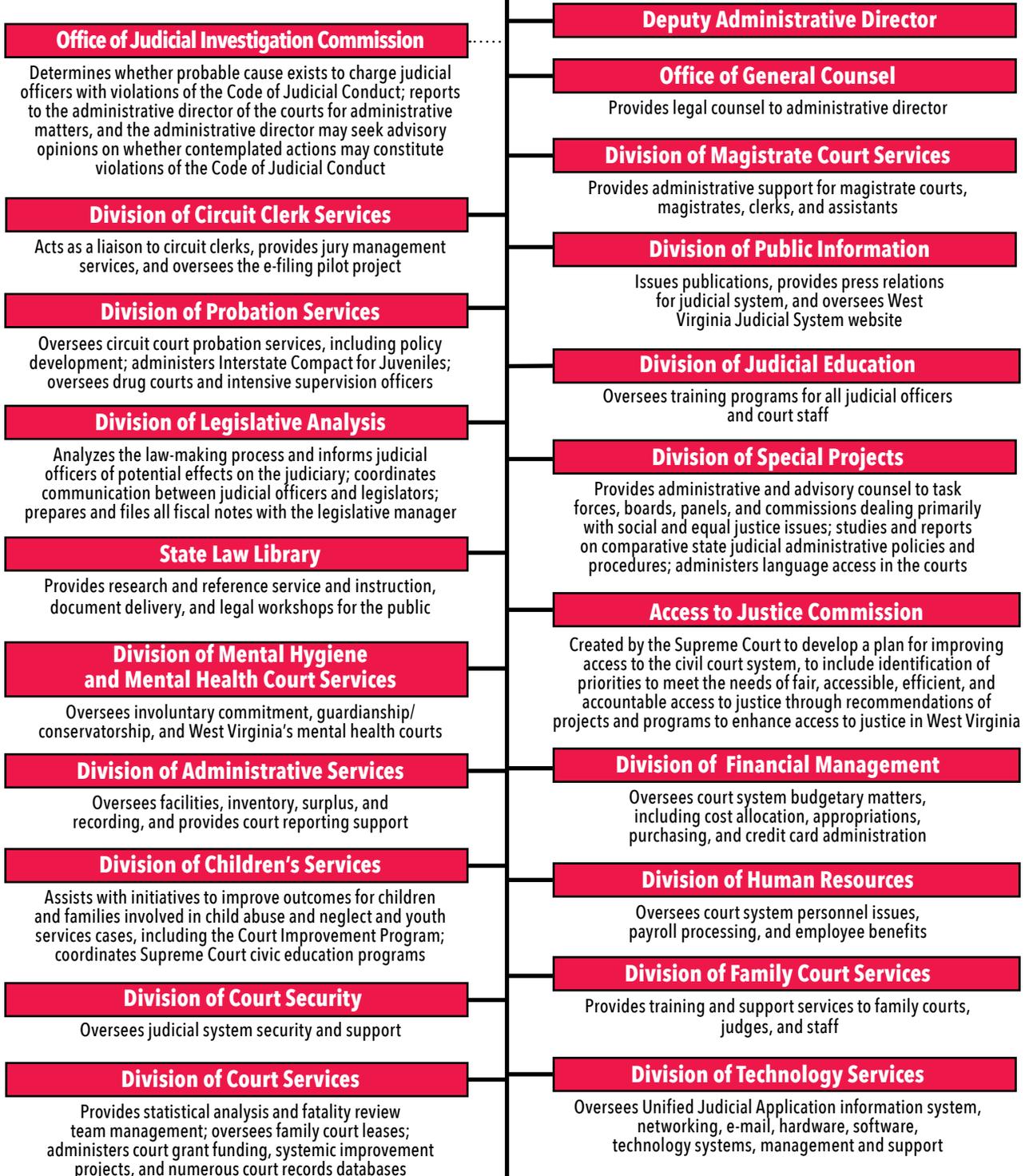
Jurisdiction:

Ordinance and traffic violations. Municipal courts are organized and operated at the local level.



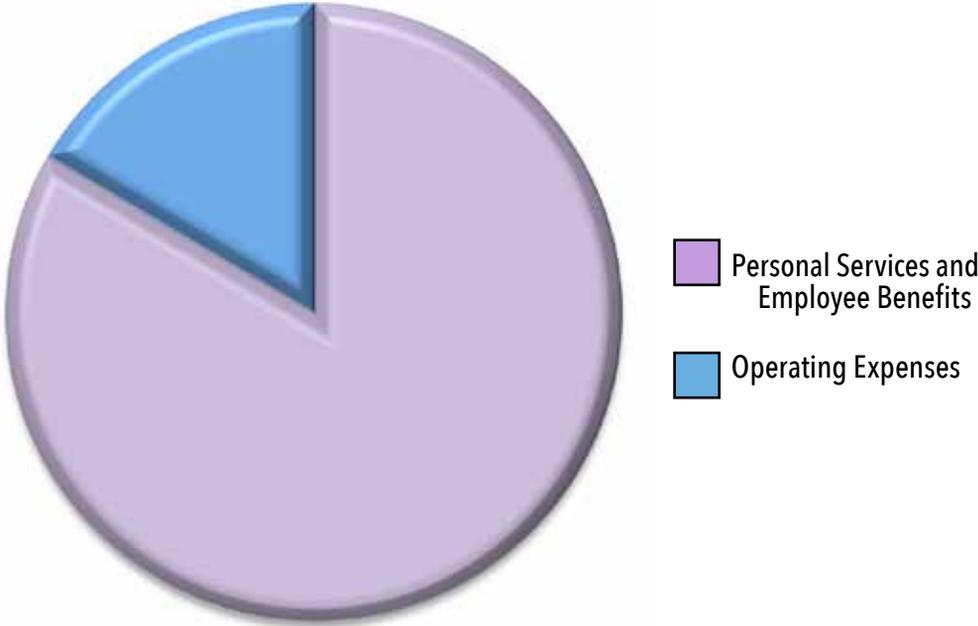
The Administrative Office of the Courts provides support to the Supreme Court of Appeals and the entire state court system. The administrative director, a constitutional officer, is appointed by the Supreme Court and oversees the Administrative Office of the Courts.

Administrative Director



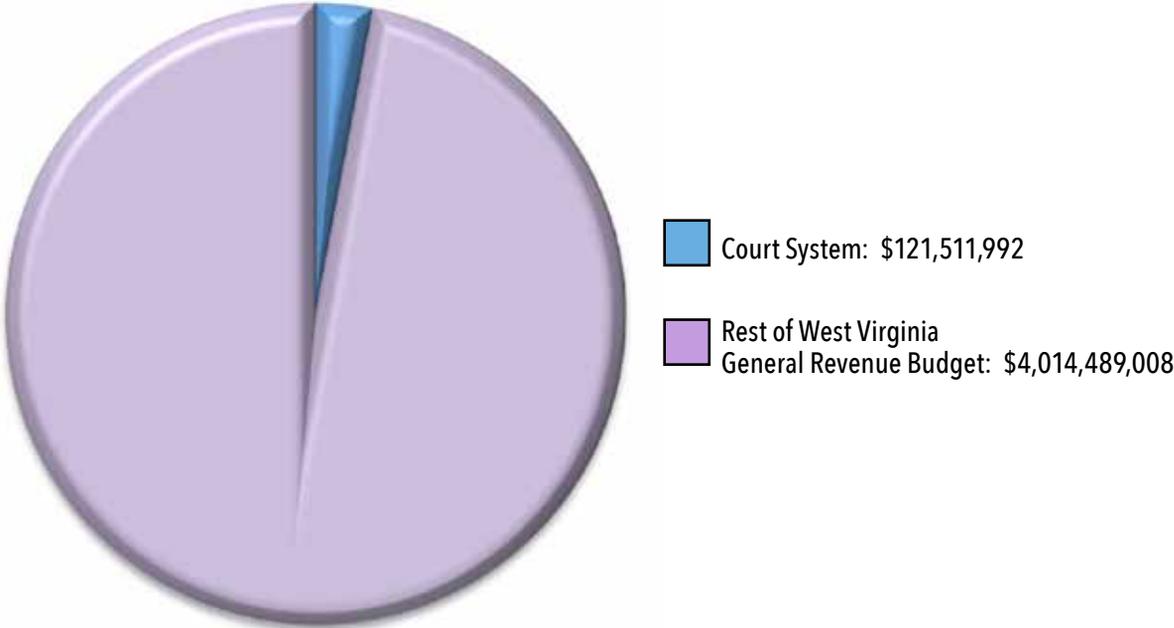
Court System Budget

Fiscal Year 2014 • July 1, 2013-June 30, 2014



Personal Services and Employee Benefits	\$ 101,411,687
Operating Expenses	<u>\$ 20,100,305</u>
	\$ 121,511,992

State of West Virginia Fiscal Year 2014 Budget



The budget of the West Virginia court system – an entire branch of state government – comprised about 3 percent of West Virginia’s General Revenue Budget of \$4,136,001,000.

WEST VIRGINIA COURT SYSTEM
Court Expenditures by County in Fiscal 2014
July 2013-June 2014

	Circuit Court	Magistrate	Family Court	Total
Barbour	\$ 44,445	\$ 507,766	\$ 319,936	\$ 872,147
Berkeley	3,318,552	1,322,666	309,572	4,950,791
Boone	1,267,391	549,029	472,390	2,288,810
Braxton	913,824	600,071	312,701	1,826,596
Brooke	2,167,533	508,426	66,136	2,742,096
Cabell	4,479,925	1,633,927	963,993	7,077,845
Calhoun	60,531	416,343	12,729	489,603
Clay	389,976	440,966	34,144	865,087
Doddridge	124,215	443,633	7,137	574,985
Fayette	2,109,112	971,172	348,681	3,428,966
Gilmer	67,509	398,884	12,516	478,910
Grant	447,477	405,154	28,099	880,730
Greenbrier	2,285,013	871,808	320,042	3,476,863
Hampshire	1,332,354	532,732	33,163	1,898,249
Hancock	845,523	729,915	25,788	1,601,226
Hardy	911,737	418,886	328,824	1,659,447
Harrison	3,384,082	1,225,314	689,787	5,299,183
Jackson	948,035	553,256	398,384	1,899,675
Jefferson	1,360,518	839,239	544,044	2,743,801
Kanawha	9,386,265	2,694,815	2,360,784	14,441,864
Lewis	679,243	709,305	47,248	1,435,796
Lincoln	1,406,293	500,862	448,729	2,355,884
Logan	2,507,196	920,209	633,470	4,060,875
Marion	2,327,990	990,640	358,998	3,677,627
Marshall	1,958,930	811,963	35,246	2,806,140
Mason	1,010,253	514,249	376,968	1,901,470
McDowell	1,612,057	724,532	153,871	2,490,460
Mercer	3,635,647	1,303,969	1,211,423	6,151,039
Mineral	1,162,941	457,336	43,488	1,663,764
Mingo	831,311	672,427	286,431	1,790,169
Monongalia	3,112,481	1,214,935	654,666	4,982,082
Monroe	612,288	442,741	40,218	1,095,247
Morgan	461,316	463,996	289,911	1,215,223
Nicholas	1,138,664	707,834	321,695	2,168,193
Ohio	1,776,908	1,089,089	646,626	3,512,622
Pendleton	236,187	432,888	41,490	710,566
Pleasants	777,082	414,057	13,692	1,204,831
Pocahontas	97,390	408,375	17,225	522,991
Preston	1,066,167	724,859	22,286	1,813,312
Putnam	2,063,747	804,176	291,221	3,159,144
Raleigh	2,955,012	1,308,612	1,004,463	5,268,087
Randolph	1,212,071	714,433	349,712	2,276,216
Ritchie	207,062	423,020	32,429	662,511
Roane	302,688	586,440	289,891	1,179,019
Summers	425,903	404,571	27,767	858,241
Taylor	1,000,578	448,923	14,156	1,463,656
Tucker	672,137	426,996	6,983	1,106,115
Tyler	27,615	427,690	17,240	472,545
Upshur	1,096,466	552,417	47,190	1,696,073
Wayne	1,851,349	744,640	513,477	3,109,466
Webster	705,133	389,218	283,149	1,377,500
Wetzel	368,630	468,511	290,727	1,127,869
Wirt	30,630	404,932	18,654	454,216
Wood	3,814,875	1,132,574	728,134	5,675,582
Wyoming	922,356	835,972	62,099	1,820,428



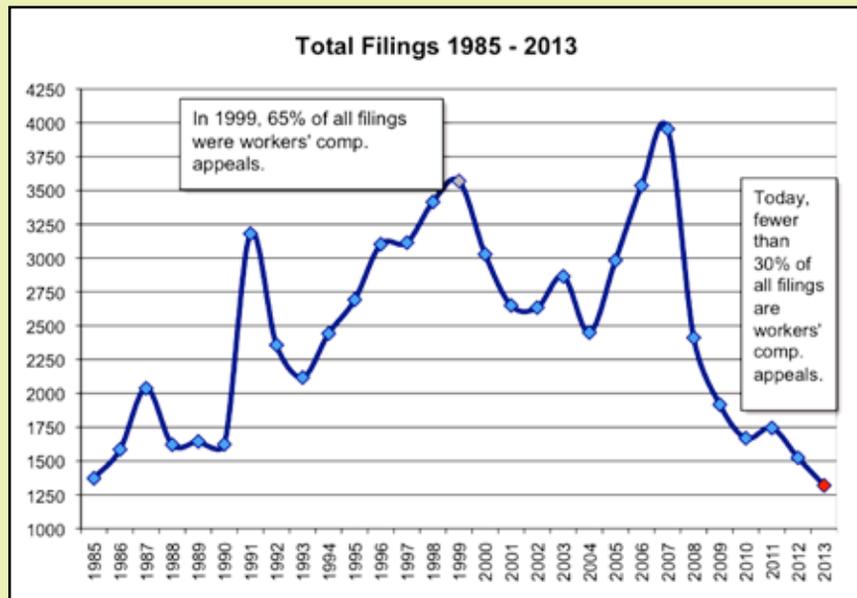
Supreme Court of Appeals of West Virginia 2013 Statistical Report

Rory L. Perry II, Clerk of Court

Case Filings Continue to Decline

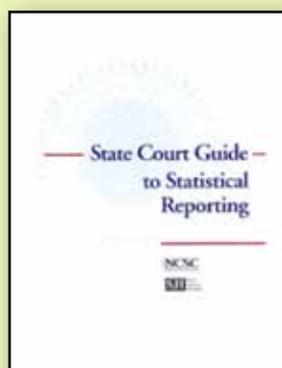
Case filings in 2013 continued to decline, reaching the lowest level since 1985. Over the last fifteen years, new case filings have fallen by more than 60 percent. In 1999, a total of 3,569 new cases were filed, compared to 1,319 in 2013. The chart to the right depicts the trend.

Workers' compensation appeals were the most important factor in the decline of the Court's caseload over the previous decade. Incoming cases reached an all-time high in 2007, when 3,954 new cases were filed, due to the fact that two-thirds of new filings were workers' compensation appeals. This disproportionate number of incoming cases was a result of the administrative transition in the workers' compensation system, and it was temporary. Now that the legislative reforms and privatization of the workers' compensation system in West Virginia have been fully implemented, the number of incoming workers' compensation appeals was 364 last year. Thus, workers' compensation appeals made up only 27 percent of case filings last year, which is the lowest percentage since 1986.



Increased Detail in Case Type Categories Shows Breadth of the Court's Workload

When most people consider the type of cases that a state supreme court handles, they might imagine that important business disputes or weighty constitutional questions take up most of the Court's time. In fact, cases of that nature are relatively rare. Instead, the vast majority of the work of the Court involves criminal appeals, abuse and neglect



appeals, workers' compensation appeals, administrative appeals, and cases involving property and contract disputes. In order to bring a higher degree of transparency to the work of the Court and to foster better public understanding of the caseload, in 2011

this Court began implementing the national reporting guidelines¹ developed in the *State Court Guide to Statistical Reporting* by the National Center for State Courts.



The first component of the *Guide* to be implemented was the use of detailed case type codes to identify merits decisions on the Court's website.² Beginning in 2011, the Court's caseload was reported using the more detailed case types set forth in the *Guide*. Although this departure from the method used in prior years will make comparisons slightly more difficult – at least initially – use of the case types set forth in the *Guide* will modernize West Virginia's appellate case reporting and bring West Virginia into parity with the growing number of states who seek to understand their appellate caseload better. Continuing this effort, this year's report adds a section on *Clearance Rates*. This tool is part of the CourTools³ package of performance measures designed by the National Center for State Courts to provide a well-targeted set of indicators on how well appellate courts handle cases.

¹Version 1.3 of the *State Court Guide to Statistical Reporting* is available online at http://www.ncsconline.org/D_Research/csp/CSPStatisticsGuidev1.3.pdf. The Court Statistics Project has a wide variety of reports and other resources available at <http://www.courtstatistics.org>.

²All opinions and memorandum decisions issued by the Court are posted on the Court's website in an integrated decision list that identifies the decision type and case type. The decision type and case type codes are explained using the definitions supplied in the *Guide*. See <http://www.courts.wv.gov/supreme-court/integrated-decision-list-explained.html>.

³CourTools: Appellate Court Performance Measures. Available at <http://www.courtools.org/Appellate-Court-Performance-Measures.aspx>.

The table to the right shows the distribution of incoming filings in 2013 as compared to the previous two years. Overall, 85 percent of incoming filings are appeals by right, which the Court is required to decide on the merits. The remaining 15 percent of filings fall into the original jurisdiction/other category, in which the Court continues to have discretionary review. Filings in 2013 dropped thirteen percent overall compared to 2012.

Implementing the Appeal by Right Continues to Increase the Number of Decisions on the Merits

In late 2010 the Supreme Court of Appeals of West Virginia made sweeping changes to its rules of procedure. The new rules eliminate the appeal by permission and replace it with an appeal by right. As confirmed by the National Center for State Courts, the rule changes implemented in late 2010 define the appeal by right as a case that the Court *must* review, instead of a case that the Court can *choose* to review. What this means for litigants is that each properly prepared appeal is *fully decided on its merits*, and appeals are no longer refused.

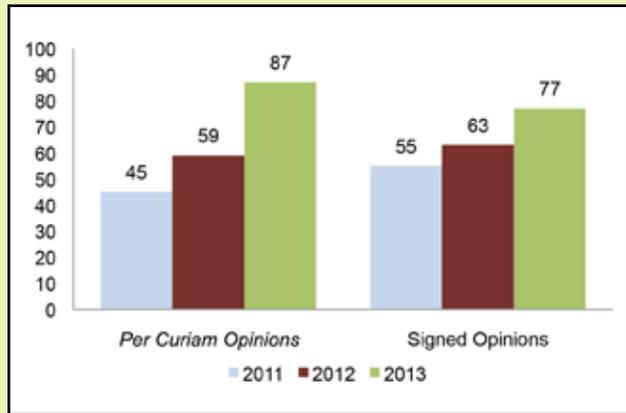
In 2011, which was the first year of implementing the appeal by right, the number of merits decisions issued by the Court more than tripled when compared to the previous system. In 2012, the increase continued, with a 34 percent increase in the total number of decisions over the prior year. In 2013 the Court continued to increase its productivity by issuing a total of 1,360 decisions on the merits, which is double the number of decisions issued in 2011.

Appeals By Right	2011	2012	2013	Change
Abuse and Neglect	229	195	177	-18
Administrative	68	32	38	+6
Administrative - Tax	8	10	2	-8
Civil - Torts, Contracts, Real Property	208	223	168	-55
Civil - Probate	8	5	1	-4
Civil - Other	158	139	120	-19
Criminal - Felony	214	166	145	-21
Criminal - Misdemeanor	11	9	9	0
Criminal - Other	6	6	10	+4
Domestic Violence	3	4	2	-2
Family	45	48	51	+3
Workers' Compensation	532	446	364	-82
Total Appeals by Right	1,490	1,283	1,087	-196
Original Proceeding/Other				
<i>Certiorari</i>	2	1	1	0
Certified Question	7	13	12	-1
<i>Habeas Corpus</i>	45	43	34	-9
<i>Mandamus</i>	88	68	79	+11
Prohibition	71	71	63	-8
Petition for Bail	5	5	4	-1
Lawyer Discipline	35	34	34	0
Judicial Discipline	0	6	3	-3
Lawyer Admission	1	0	2	+2
Total Original Proceeding/Other	254	241	232	-9
GRAND TOTAL	1,744	1,524	1,319	-205
13% Decrease Over Last Year				

Decisions on the Merits	2011	2012	2013
Abuse and Neglect	145	201	169
Administrative	27	35	40
Administrative - Tax	3	2	4
Civil - Torts, Contracts, Real Property	92	104	169
Civil - Probate	3	5	7
Civil - Other	37	94	173
Criminal - Felony	105	105	207
Criminal - Misdemeanor	7	6	8
Criminal - Other	3	1	4
Family	23	25	55
Workers' Compensation	209	297	445
<i>Certiorari</i>	1	0	1
Certified Question	1	4	9
<i>Habeas Corpus</i>	0	0	0
<i>Mandamus</i>	4	9	3
Prohibition	12	14	19
Lawyer Discipline	5	5	7
Judicial Discipline	0	1	1
Lawyer Admission	1	0	1
GRAND TOTAL	678	908	1,360
100 percent increase since 2011			

100 Percent Increase Since 2011

The overall increase in decisions on the merits includes a continued increase in the number of opinions. The Court issued a total of 164 opinions in 2013, compared to 122 opinions in 2012, and one hundred opinions in 2011. For fifty-three years of the Court's history, fewer than one hundred opinions were issued, and the number of opinions issued last year signals the Court's continuing commitment to fulfill its constitutional role of establishing the common law through published opinions. The Court issues two types of published opinions. Signed opinions are used when a new point of law is announced, while *per curiam* opinions are used to apply settled principles of law to facts necessarily differing from those at issue in signed opinions.⁴



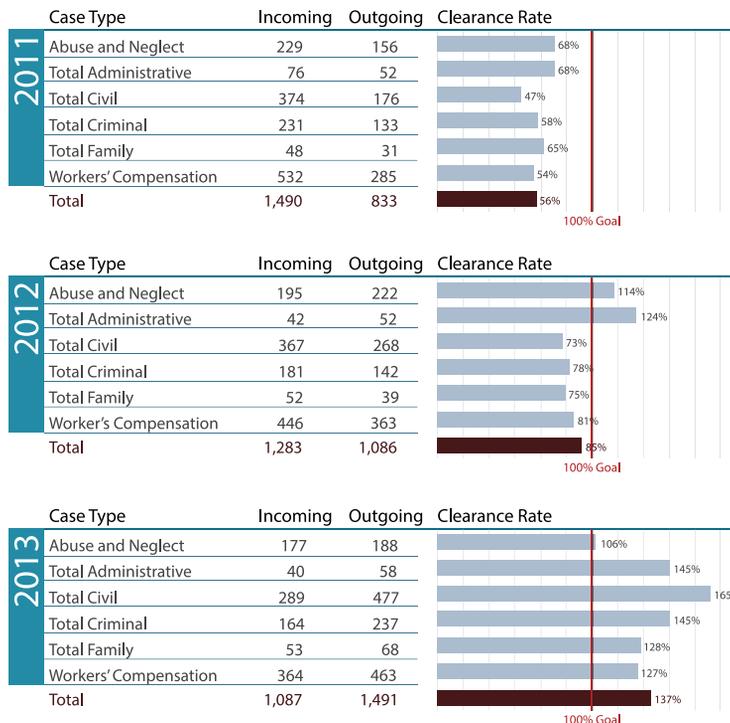
Of the 164 opinions released by the Court in 2013, seventy-seven were signed opinions and eighty-seven were *per curiam* opinions. The ongoing increase in published opinions may signal that the screening mechanisms of the revised appellate process – which were adopted in large part from the Final Report of the West Virginia Independent Commission on Judicial Reform⁵ – are in fact accomplishing the goal of allowing counsel and the Court to identify cases with important legal issues.

The Court continues to keep pace with the number of incoming cases. The Court more than complies with the time standards for appellate courts that are recommended by the American Bar Association, with well over 90 percent of appeals being resolved in less than one year from the date they are mature for consideration. In the case categories that take priority, such as those involving the abuse and neglect of children, the average age at disposition is less than nine months. The lack of delay is very important in these cases because there is no permanency for the children involved until the appeal is fully concluded.

Clearance Rates Demonstrate that the Appeal by Right Has Matured, and the Court is Keeping Pace With Incoming Cases

Implementing the appeal by right required an adjustment period for the Court and its staff. Evidence shows that the adjustment period is now over. The measure of clearance rates is a CourTools appellate performance measure that gauges whether a court is keeping up with its incoming caseload. As expected, during the first two years of implementation, clearance rates were less than optimal for some case types. Nevertheless, clearance rates have steadily improved during implementation, and surpassed 100 percent in 2013. This objective measure demonstrates that the Court's efforts over the last three years have proven to be fruitful.

Appeal By Right Clearance Rates, 2011-2013



⁴In syllabus points two, three, and four of *Walker v. Doe*, the Court articulated the difference between signed opinions and *per curiam* opinions. "This Court will use signed opinions when new points of law are announced and those points will be articulated through syllabus points as required by our state constitution." Syllabus Point Pt. 2. "*Per curiam* opinions have precedential value as an application of settled principles of law to facts necessarily differing from those at issue in signed opinions. The value of a *per curiam* opinion arises in part from the guidance such decisions can provide to the lower courts regarding the proper application of the syllabus points of law relied upon to reach decisions in those cases." Syllabus Point Pt. 3. "A *per curiam* opinion may be cited as support for a legal argument." Syllabus Point 4.

⁵Final Report of the West Virginia Independent Commission on Judicial Reform at 37 (November 15, 2009) Available at <http://www.scribd.com/doc/22604435/West-Virginia-Independent-Commission-on-Judicial-Reform-Final-Report>.

2013 Visiting Judges

When a Supreme Court Justice is unable to serve in a case due to reasons such as illness or disqualification, Article III Section 2 of the West Virginia Constitution allows the Chief Justice to assign a circuit court judge or senior status judge to serve. The visiting judge then participates in all private conferences and hearings and votes on that case. The following is a list of judges who were so assigned in 2013 and the cases in which they participated.

Judge J.D. Beane, Fourth Judicial Circuit (Wirt and Wood Counties)
January 16 Rule 20 Argument Docket: *Brooke B. v. Donald Ray C., II* (No. 11-1085)



Judge Phillip M. Stowers, Twenty-Ninth Judicial Circuit (Putnam County)
April 16 Rule 20 Argument Docket: *Richard D. Lindsay and Pamela Lindsay, doing business as Tabor Lindsay & Associates v. Attorneys Liability Protection Society, Inc.* (No. 11-1651)



Senior Status Justice Thomas E. McHugh,
February 6 Conference: *State of West Virginia v. H. John Rogers* (No. 12-1184)

February 21 Conference and September 4 Rule 20 Argument Docket: *Manville Personal Injury Settlement Trust; Amalgamated Bank, as Trustee for the Longview Collective Investment Funds; and California State Teachers' Retirement System v. Don L. Blankenship; Baxter F. Phillips, Jr.; E. Gordon Gee; Richard M. Gabrys; James B. Crawford; Bobby R. Inman; Robert H. Foglesong; Stanley C. Suboleski; J. Christopher Adkins; M. Shane Harvey; Mark A. Climens; Elizabeth S. Chamberlin; and Richard R. Grinnan; Massey Energy Company, now known as Alpha Appalachia Holdings, Inc., a Delaware corporation* (No. 11-1488)

April 9 Rule 20 Argument Docket: *State of West Virginia v. Brandi B.* (No. 12-0100)

April 10 Conference and September 25 Rule 20 Argument Docket: *AIG Domestic Claims, Inc. and Commerce and Industry Insurance Company v. Hess Oil Company, Inc.* (No. 12-0705)

April 10 Conference and September 25 Rule 20 Argument Docket: *Hess Oil Company, Inc. v. AIG Domestic Claims, Inc. and Commerce and Industry Insurance Company* (No. 12-0719)

May 24 Memorandum Decision: *Wanda O. Williamson v. Independence Coal Company, Inc.* (No. 12-0885)

June 4 Rule 19 Argument Docket: *Office of Disciplinary Counsel v. H. John Rogers* (No. 12-0195)

Judge Russell M. Clawges, Jr., Seventh Judicial Circuit (Monongalia County)
April 16 Rule 20 Argument Docket: *West Virginia Employers' Mutual Insurance Company and Jane Cline, Insurance Commissioner v. The Bunch Company* (No. 11-1750)



Senior Status Judge Fred L. Fox II, Sixteenth Judicial Circuit (Marion County)
May 14 Rule 20 Argument Docket: *SER Discover Financial Services, Inc., et al. v. Hon. David W. Nibert, Judge* (No. 13-0086)
May 14 Rule 20 Argument Docket: *SER GlaxoSmithKline, LLC v. Hon. James H. Young, Judge* (No. 13-0102)



Judge Jaymie Godwin Wilfong, Twentieth Judicial Circuit (Randolph County)
September 4 Rule 20 Argument Docket: *Douglas Brown, Marion Robinson, Mason County Farm Museum, Mason County Board of Education, Henderson Church of Christ, Bob Rimmey, Heather Hutchinson and Kayla Nave v. Robert D. Fluharty, in his fiduciary capacity as Executor of the Estate of Bright McCausland*, (No. 12-0365)



Judge Alan D. Moats, Nineteenth Judicial Circuit (Barbour and Taylor Counties)
June 18 Conference and September 24 Rule 20 Argument Docket: *Robert Burnworth v. Kent George, Robinson & McElwee, PLLC, et al.* (No. 12-0991)



2013 Court Board and Committee Members

West Virginia Board of Law Examiners

Members evaluate educational background, credentials, character and fitness, and competence of each applicant for admission to the practice of law in West Virginia under the Supreme Court Rules for Admission.

Rule 1.0, Rules for Admission to the Practice of Law

Roslyn Payne Artis, Esquire, President (Beckley)
Lawrence M. Schultz, Esquire, Vice-President (Martinsburg)
Janice Lee Murray Hall, Esquire (Huntington)
Sue Anne Howard, Esquire (Wheeling)
Bradley J. Pyles, Esquire (Logan)
Ancil G. Ramey, Esquire (Huntington)
Carol P. Smith, Esquire (Charleston)

Judicial Hearing Board

Members have the authority to conduct hearings on formal complaints filed by the Judicial Investigation Commission and to make recommendations to the Supreme Court of Appeals regarding disposition of those complaints.

Rule 3.6, Rules of Judicial Disciplinary Procedure

Circuit Judge Lawrence S. Miller, Jr., Chairman, Eighteenth Judicial Circuit (Preston County)
Senior Status Judge Robert G. Chafin, Vice-Chairman (Wayne County)
Circuit Judge Alan D. Moats, Nineteenth Judicial Circuit (Barbour and Taylor Counties)
Circuit Judge Jaymie G. Wilfong, Twentieth Judicial Circuit (Randolph County)
Family Court Judge Beth Longo, Twenty-First Family Court Circuit (Barbour and Taylor Counties)
Magistrate Tina M. Mouser (Barbour County)
Jacqueline Farrell (Huntington)
Holly S. Planinsic, Esquire (Wheeling)
George Poole (Williamson)
Board Counsel: Ancil G. Ramey, Esquire

Judicial Investigation Commission

Members determine whether probable cause exists to charge a judicial officer with a violation of the Code of Judicial Conduct promulgated by the Supreme Court of Appeals to govern the ethical conduct of judges or that a judge, because of physical or mental incapacity, should not continue to serve.

Rule 1, Rules of Judicial Disciplinary Procedure

Circuit Judge Ronald E. Wilson, Chairman, First Judicial Circuit (Brooke, Hancock, and Ohio Counties)
Magistrate Gail C. Boober, Vice Chairman (Jefferson County)
Circuit Judge H. L. Kirkpatrick III, Tenth Judicial Circuit (Raleigh County)
Circuit Judge Christopher C. Wilkes, Twenty-Third Judicial Circuit (Berkeley, Jefferson, and Morgan Counties)
Family Court Judge Robert C. Hicks, Second Family Court Circuit (Marshall, Tyler, and Wetzel Counties)
Andrew N. Frye, Jr., Senior Status Circuit Judge (Grant County)
Thomas F. Burgoyne (Wheeling)
Alice A. Chakmakian, Esquire (Charles Town)
Robert P. Fitzsimmons, Esquire (Wheeling)
Commission Counsel: Teresa A. Tarr, Esquire
Assistant Counsel: Steven Snyder, Esquire
Commission Secretary: Nancy Black

Mass Litigation Panel

The panel develops and implements case management and trial methodologies to resolve mass litigation referred to it by the Chief Justice. The panel also develops and implements plans for central organization for managing mass litigation.

Rule 26.01, West Virginia Trial Court Rules

Circuit Judge Alan D. Moats, Chairman, Nineteenth Judicial Circuit (Barbour and Taylor Counties)
Circuit Judge David W. Hummel, Jr., Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties)
Circuit Judge John A. Hutchison, Tenth Judicial Circuit (Raleigh County)
Circuit Judge Jay M. Hoke, Twenty-Fifth Judicial Circuit (Boone and Lincoln Counties)
Circuit Judge James P. Mazzone, First Judicial Circuit (Brooke, Hancock, and Ohio Counties)
Circuit Judge Booker T. Stephens, Eighth Judicial Circuit (McDowell County)
Circuit Judge Derek C. Swope, Ninth Judicial Circuit (Mercer County)
Mass Litigation Manager: Kimberley R. Fields, Esquire
Mass Litigation Administrative Assistant: Debra K. Brogan

West Virginia Court Security Board

Board members make decisions on how money in the Court Security Fund is spent to enhance the security of courts.

W.Va. Code § 51-3-15

Steve Canterbury, Chairman, Supreme Court Administrative Director
Circuit Judge David W. Hummel, Jr., Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties)
Family Court Judge Amanda See, Twenty-Fifth Family Court Circuit (Grant, Hardy and Pendleton Counties)
Magistrate Carol Wolfe (Gilmer County)
Circuit Clerk Brian Gaudet (Upshur County)
Sheriff Bryan Backus (Ritchie County)
Captain Dave Lemmon, Troop Four Commander, West Virginia State Police
L. David Duffield, Esquire (Huntington)
Staff from Supreme Court Administrative Office:
Angela Saunders, Director of Court Services
Autumn Johnson, Deputy Director of Court Services
Arthur Angus, Director of Court Security
Jess Gundy, Deputy Director of Court Security
Melissa Crawford, Grants Account Manager
Charity Sayre, Grants Accountant
Staff from Division of Criminal Justice and Community Services:
Leslie Boggess, Deputy Director
Bonnie Bevers, Senior Criminal Justice Specialist
April Dickenson, Criminal Justice Specialist II
Ramona Snyder, Secretary

West Virginia Wiretapping and Electronic Surveillance Act

The Act requires the Chief Justice to designate five active circuit court judges individually to hear and rule upon applications for orders authorizing the interception of wire, oral, or electronic communications.

W.V. Code § 62-1D-7

Circuit Judge Robert A. Burnside, Jr., Tenth Judicial Circuit (Raleigh County)
Circuit Judge Russell M. Clawges, Jr., Seventeenth Judicial Circuit (Monongalia County)
Circuit Judge David W. Hummel, Jr., Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties)
Circuit Judge Phillip M. Stowers, Twenty-Ninth Judicial Circuit (Putnam County)
Circuit Judge Christopher C. Wilkes, Twenty-Third Judicial Circuit (Berkeley, Jefferson, and Morgan Counties)

Business Court Division Opens

The West Virginia Business Court is a division within West Virginia's Judiciary designed to handle complex commercial litigation between businesses. In 2010, the Legislature passed House Bill 4352 authorizing the Supreme Court of Appeals to conduct a study and make a recommendation regarding the creation of a Business Court Division. The Court appointed a committee to study the feasibility of a business court and ultimately a proposal was presented to the Supreme Court with a recommendation by the committee that a Business Court Division be established within the circuit courts. The committee then drafted a rule to govern complex business litigation. After deliberation, public comment, and revision, the West Virginia Supreme Court of Appeals unanimously approved Trial Court Rule 29 on September 11, 2012. Justice Robin Jean Davis, Administrative Director Steven Canterbury, and Division Chairman Christopher C. Wilkes held a formal opening of the Business Court Division on October 10, 2012, at the Central Office located in the Berkeley County Judicial Center in Martinsburg.

Business Court Division judges

The division consists of six judges appointed by the Chief Justice to serve terms of seven years. These judges have agreed to undertake the additional caseload because they have a particular interest and expertise in business litigation. Rule 29 allows for one additional judge to be appointed to the division as the need arises. The Chief Justice designates one of the division judges to serve as chairman every three years. Rule 29 indicates there is no prohibition against serving successive terms, either as judge in or as chairman of the division.

Below are the Business Court Division members and the expiration dates of their terms:



Christopher C. Wilkes*
Judge of the
Twenty-Third Circuit
Business Court
Region G
October 9, 2019
Chairman through
October 9, 2015



James J. Rowe*
Judge of the
Eleventh Circuit
Business Court
Region F
October 9, 2019



James H. Young*
Judge of the
Twenty-Fourth Circuit
Business Court
Region D
December 31, 2019



Thomas C. Evans III**
Judge of the
Fifth Circuit
Business Court
Region C
October 9, 2019



Russell M. Clawges, Jr.***
Judge of the
Seventeenth Circuit
Business Court Region A
September 30, 2020



Paul T. Farrell***
Judge of the
Sixth Circuit
Business Court
Region D
September 30, 2020

* Appointed by Chief Justice Menis Ketchum by Administrative Order dated September 11, 2012.

** Appointed by Chief Justice Brent D. Benjamin by Administrative Order dated March 4, 2013, to fill former Judge Cookman's unexpired term.

*** Appointed by Chief Justice Brent D. Benjamin by Administrative Order dated October 1, 2013.

Division judges receive specialized training in business law subjects, are members of the American College of Business Court Judges, and are members of the Business Law Section of the American Bar Association. They meet semi-annually at judicial conferences to discuss new developments, case load distribution, case management techniques, and any other issues that may need to be addressed. Division judges currently communicate via email and telephone to discuss case assignments and scheduling; however, the division is exploring web conferencing software for "face-to-face" meetings among the division judges and possibly non-evidentiary hearings in business cases. Video conferencing will potentially reduce travel expenses and expedite proceedings. The division is also in the process of developing policies and procedures and plans on suggesting modifications to Rule 29 to the Supreme Court for amendment in 2014.

Staff

The central office is administered by Carol A. Miller who is employed by the Supreme Court of Appeals as assistant to Judge Wilkes. She was given the additional title of executive director of the Business Court Division in 2013. The executive director works

closely with the division judges to implement procedures and policies to improve efficiency. Her duties also include coordinating referrals and assignments and implementing appropriate technology to ensure the Business Court Division is running effectively. The executive director also performs any other administrative action necessary to assist the division judges with achieving effective management of business litigation. Lorri J. Stotler was hired in 2013 to assist the juvenile justice monitor (who shares office space with the Business Court Division), and also assists the executive director of the Business Court Division as needed in the central office.

Although division judges agreed to take on the additional workload and oftentimes work longer hours, the judges' law clerks are now inundated with time-sensitive, complex motions in addition to their regular obligations, requiring them to work longer hours as well. The division will be approaching the Supreme Court in the future to discuss the concept of employing law clerks to work solely on business court cases. The law clerks will be required to travel to evidentiary hearings and trials; however, web conferencing would be the ideal mechanism for law clerks to participate in non-evidentiary hearings and to have "face-to-face" meetings with any of the division judges to discuss motions without the expense of travel.



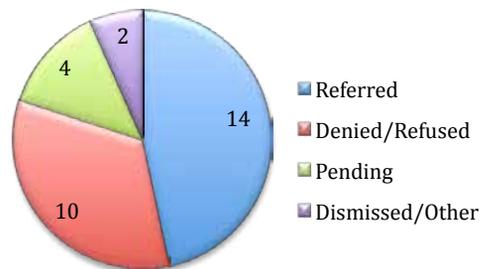
Highlights of 2013

The Business Court Division was invited to participate in several events in 2013. Representatives of the division made presentations to groups including the State Chamber of Commerce, the Berkeley County Chamber of Commerce, the Business Lawyer Division Conference, several bar association meetings, and CLEs to apprise lawyers and businesses of the purpose and benefits of having their cases litigated in West Virginia's Business Court Division. Division judges received specialized training in 2013 which included mediation training sponsored by the West Virginia State Bar, Mediating the Litigated Case by Straus Institute for Dispute Resolution, Financial Statements in the Courtroom, and the Complex Commercial/Business Litigation Course at the National Judicial College. Some of the division judges also attended the American College of Business Court Judges Annual Conference in Arlington, Virginia. Much of the training and educational opportunities were paid for by scholarships or by the providers at no cost to the state of West Virginia. Two of the division judges were invited and participated in a panel discussion at a seminar presented by Appalachian Institute of Digital Evidence regarding electronic discovery. Chairman Judge Wilkes penned an article titled, "West Virginia's New Business Court Division: An Overview of the Development and Operation of Trial Court Rule 29," which was published in the *West Virginia Lawyer*, January - March 2013. As approved by the Court, the division will continue to attend courses relating to management of complex business litigation. They also will remain active with the local and statewide bar and business associations to update lawyers and the public on any rule changes and business court statistics.

Business Court Division Case Activity

The Business Court Division has had thirty motions to refer filed since its inception. Ten were denied and fourteen were referred to the Business Court Division by the Chief Justice. One case was dismissed before the motion to refer was transmitted to the Chief Justice. One motion to refer was filed after the three month deadline and the judge has yet to forward it to the Chief Justice. One motion was still pending with the Chief Justice at the end of 2013, and three motions were still pending with the presiding circuit judge.

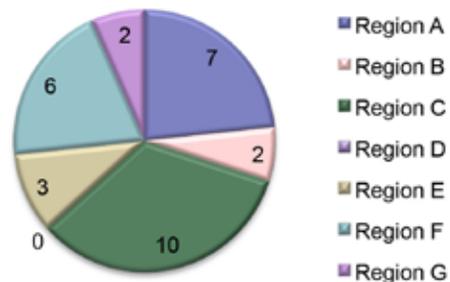
Rulings by Chief Justice



Applications to Business Court Division

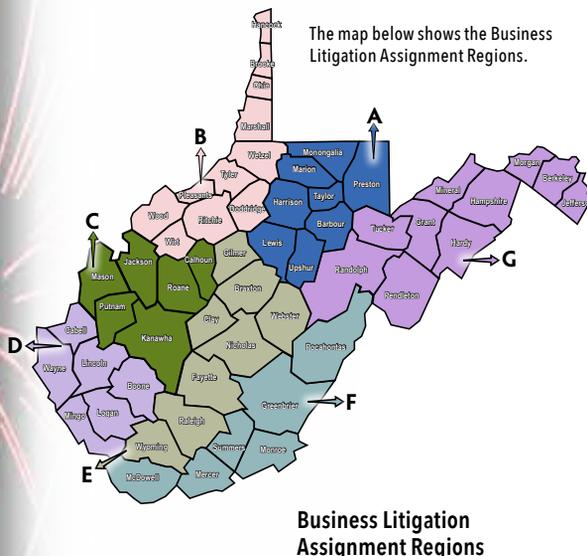
The majority of applications came from Kanawha County, which is located in Region C. There were no requests for referral to the Business Court Division from Region D. The chart to the right represents the number of requests by region.

Applications to Business Court by Region



The West Virginia Business Court Division

The map below shows the Business Litigation Assignment Regions.



Region	County	Number of Applications
A	Harrison	4
	Monongalia	1
	Upshur	1
	Preston	1
B	Marshall	1
	Ohio	1
C	Kanawha	10
E	Raleigh	1
	Wyoming	2
F	Greenbrier	4
	Monroe	1
	Mercer	1
	Berkeley	1
G	Berkeley	1
	Hampshire	1

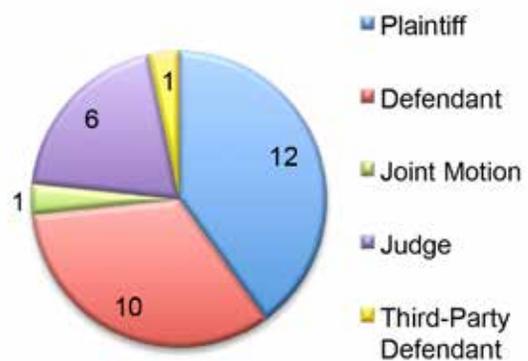
Types of Cases Referred to Business Court Division

The table below presents the nature of cases that have been referred to the Division by county.

County	Nature of Case
Berkeley County	Breach of contract/professional liability. Also, the insurance company has intervened seeking interpretation of the insurance contract.
Greenbrier County	Injunctive and declaratory relief between commercial entities; liability of shareholders, directors, officer, partners, etc.; and shareholders' derivative claims
Harrison County	Breach of contract; professional liability claims in connection with the rendering of professional services to a commercial entity
Harrison County	Breach of contract; commercial torts; and professional liability claims in connection with the rendering of professional services to a commercial entity
Kanawha County	Dispute over management, operations, control, and governance of company
Kanawha County	Negligent performance of consulting services by the defendant; breach of implied warranty of workmanlike performance by defendant; misrepresentation by defendants; breach of warranty by defendant
Kanawha County	Breach of contract
Kanawha County	Injunctive relief between commercial entities; liability of shareholders, directors, officer, partners, etc.; disputes involving commercial entities; and requests for dissolution of commercial entities
Marshall County	Claims for breach of contract; breach of warranty; various torts; and the breach of the implied duty of good faith
Mercer County	Commercial coverage disputes
Monongalia County	Breach of fiduciary duty, violation of the Solicitation of Charitable Funds Act, constructive fraud, civil conspiracy, and violations of the Freedom of Information Act
Ohio County	Breach of contract, breach of implied duty of good faith and fair dealing, tortious interference with the coal supply agreement, and corporate "alter ego" claims
Raleigh County	Breach of contract, unjust enrichment
Upshur County	Complex commercial and property law issues; ownership or possessory rights of mining equipment disputes

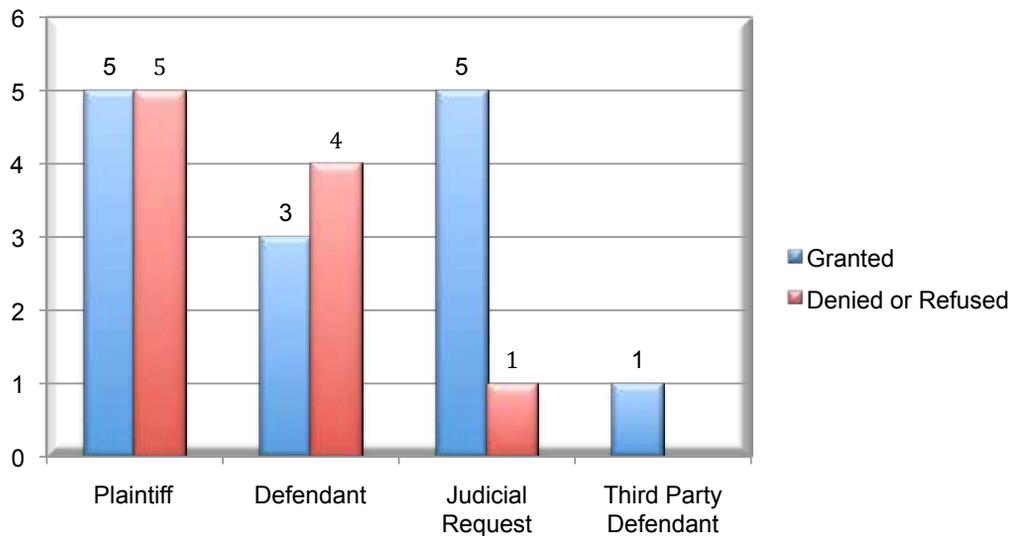
How Cases Transfer to Business Court Division

Any party or judge can request referral of a case to the Business Court Division. The chart to the right represents those who made the initial requests. Nine of the motions were unopposed. Four of the motions were initially filed by plaintiff or defendant; however, the judge joined in by filing a judicial request.



The chart below represents the Chief Justice's rulings on the motions to refer to the Business Court Division in 2013. On four of the motions, the Chief Justice directed the division to conduct hearings to receive evidence and entertain arguments by the parties or any judge and submit findings of fact and a recommendation to the Chief Justice. The division recommended three out of the four cases be referred to the division, all three of which were referred by the Chief Justice.

Referrals and Denials/Refusals by Chief Justice



As of December 31, 2013, the three cases below have been resolved. On two, Judge Young served as resolution judge and held mediation sessions. The other case resolved after mediation with a private mediator.

Name of Case	County	Presiding Judge in Business Court	Age of Case (in days)	Age in bus. Ct. (in days)
Casto Technical Services, Inc. vs. Omega Facility Solutions, Services & Surety, LLC	Kanawha	James H. Young, Jr.	459	369
DB Land, LLC vs. Empire Consulting Services, et al.	Kanawha	Christopher C. Wilkes	497	329
Mountain State Carbon, LLC vs. Bluestone Coal Corporation, et al.	Ohio	Christopher C. Wilkes	1939	249

Business Court

The table below shows the name of the pending cases, county of business litigation, presiding business court judge, age of case, and business court age, all of which have firm trial dates set in 2014.

Name of Case	County	Presiding Judge in Business Court	Age of Case (in days)	Age in bus. Ct. (in days)
Keith W. Atkinson vs. General Glass Company, Inc., <i>et al.</i>	Kanawha	James J. Rowe	435	272
Martin N. Holley vs. Lydia M. Beirne, <i>et al.</i>	Kanawha	James H. Young, Jr.	351	235
POB, LLC, <i>et al.</i> vs. Grant Architects, P.C., Inc., <i>et al.</i>	Harrison	Thomas C. Evans III	418	272
Harrison County Development Authority vs. Tetrick & Bartlett, PLLC	Harrison	James H. Young, Jr.	399	214
Erie Insurance Property and Casualty Company vs. Lambert Construction Company, <i>et al.</i>	Mercer	James J. Rowe	365	235
Gito, Inc. vs. Board of Education of the County of Marshall, <i>et al.</i>	Marshall	Thomas C. Evans	340	186
Bernard Holliday, <i>et al.</i> vs. William Toney, <i>et al.</i>	Greenbrier	James J. Rowe	266	190
Dealership Management Company, LLC vs. Air-Row Sheet Metal Co., Inc., <i>et al.</i>	Berkeley	Christopher C. Wilkes	916	152
Shell Equipment Co., Inc. vs. Rossco Limited Liability Company, <i>et al.</i>	Upshur	Christopher C. Wilkes	2155	98
West Virginia Radio Corporation vs. West Virginia University Board of Governors, <i>et al.</i>	Monongalia	Thomas C. Evans III	195	96
Wylie Steel Fabricators, Inc. vs. Rock & Coal Construction, Inc.	Raleigh	Paul T. Farrell	168	40

Feedback

The executive director sends a survey to all counsel upon resolution of each business court case and requests that it be completed anonymously and returned to the central office. The input from counsel allows the division to implement or modify procedures and rules in hopes of achieving more effective litigation management.

After one year and three resolved cases, the feedback thus far has been positive. Attorneys have expressed overall satisfaction with the Business Court Division. They feel that the Business Court Division is "very valuable" in getting litigation resolved and provides a more efficient mechanism for the resolution of complex commercial litigation in West Virginia. They view early trial dates and the speedy discovery process as positive attributes. One attorney states, "Via a speedy discovery process, parties had to understand each other's positions quickly [and] efficiently. This ultimately led to a prompt resolution." Provided that Rule 29.08(g) states that the business litigation should proceed to final judgment in an expedited manner...[and] that the presiding judge shall make all reasonable efforts to conclude business litigation within ten months from the date the case management order was entered and considering the above data, the Business Court Division has had a successful first year. The division will continue working diligently to manage and resolve complex litigation efficiently involving commercial issues and disputes between businesses.

Mass Litigation Panel

The Chairman of the Mass Litigation Panel is Judge Alan D. Moats of the Nineteenth Judicial Circuit (Barbour and Taylor Counties). Members of the panel are Judge Jay M. Hoke of the Twenty-Fifth Judicial Circuit (Boone and Lincoln Counties); Judge David W. Hummel, Jr., of the Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties); Judge John A. Hutchison of the Tenth Judicial Circuit (Raleigh County); Judge James P. Mazzone of the First Judicial Circuit (Brooke, Hancock, and Ohio Counties); Judge Booker T. Stephens of the Eighth Judicial Circuit (McDowell County); and Judge Derek C. Swope of the Ninth Judicial Circuit (Mercer County).



The Mass Litigation Panel, from left: Judge David W. Hummel, Jr.; Judge Derek Swope; Judge John A. Hutchison; Mass Litigation Manager Kimberley Fields; Judge Alan D. Moats; Judge Jay M. Hoke; Judge James P. Mazzone; Judge Booker T. Stephens. *Photo by Jennifer Bundy*

The following is a list of Mass Litigations referred to the panel, the county in which the litigation is pending, and the judge or judges assigned to the litigation.

Asbestos Personal Injury Litigation

Kanawha County

Ronald C. Wilson, Presiding Judge¹
James P. Mazzone, Assisting Judge
Mark A. Karl, Assisting Judge

FELA Asbestos Litigation

Kanawha County

Arthur M. Recht, Presiding Judge²
Jay M. Hoke, Assisting Judge

Float-Sink Litigation

Raleigh County

John A. Hutchison, Lead Presiding Judge
Alan D. Moats, Presiding Judge
Derek C. Swope, Presiding Judge
Jay M. Hoke, Lead Resolution Judge
Booker T. Stephens, Resolution Judge
James P. Mazzone, Resolution Judge

Flood Litigation

Raleigh County

John A. Hutchison, Lead Presiding Judge
Jay M. Hoke, Presiding Judge
Derek C. Swope, Presiding Judge
Booker T. Stephens, Lead Resolution Judge
Alan D. Moats, Resolution Judge
James P. Mazzone, Resolution Judge

Mingo County Coal Slurry Litigation

Ohio County

James P. Mazzone, Lead Presiding Judge
John A. Hutchison, Presiding Judge
Jay M. Hoke, Presiding Judge
Derek C. Swope, Lead Resolution Judge
Alan D. Moats, Resolution Judge

Mountain State University Litigation

Kanawha County

Alan D. Moats, Lead Presiding Judge
Derek C. Swope, Presiding Judge
James P. Mazzone, Presiding Judge
Booker T. Stephens, Lead Resolution Judge
Jay M. Hoke, Resolution Judge
David W. Hummel, Jr., Resolution Judge

Tobacco Litigation

Ohio County

Arthur M. Recht, Presiding Judge³

University Commons Litigation

Kanawha County⁴

Derek C. Swope, Lead Presiding Judge
Alan D. Moats, Presiding Judge
David W. Hummel, Jr., Presiding Judge
Booker T. Stephens, Lead Resolution Judge
John A. Hutchison, Resolution Judge

¹Although First Judicial Circuit (Brooke, Hancock, and Ohio Counties) Judge Ronald C. Wilson does not currently serve on the Mass Litigation Panel, he continues to preside in the Asbestos Personal Injury Litigation, conducting trial groups of approximately twenty cases in February, June, and October each year. On September 11, 2013, Judge Wilson ordered thirty-two lung cancer cases referred to mediation, and he conducted a pre-mediation conference on October 11, 2013. Parties were to conduct certain discovery and attempt to settle their cases before mediation. Any cases not settled by the parties are to be mediated by Judge Wilson in January 2014. Cases not settled by the parties or during the course of court-ordered mediation are to be prepared to go to trial by the end of January 2014.

²On January 12, 2012, the Supreme Court entered an Administrative Order recalling First Circuit Judge Arthur Recht as a Senior Status Judge to continue presiding in the Tobacco Litigation and the FELA Asbestos Litigation, effective February 1, 2012. Judge Recht conducted a status conference of the remaining FELA Asbestos Litigation cases on August 15, 2013. Most of the remaining cases are awaiting dismissal orders. One case is scheduled for trial in July 2014.

³On April 15, 2013, Judge Recht presided in the Phase I trial of the Tobacco Litigation. A defense verdict was reached on all but one question on May 15, 2013. The sole plaintiff verdict was on the question of whether plaintiffs proved all ventilated filter cigarettes manufactured and sold by the defendants between 1964 and July 1, 1969, were defective because of a failure to instruct. Post-trial motions were filed in July 2013 and a final judgment order was entered on October 28, 2013. On November 26, 2013, petitioners, Ronald Acord, et al., plaintiffs below, presented a timely and complete notice of appeal from the circuit court's October 28 order. The appeal was placed on the docket as No. 13-1204, and a scheduling order was entered on December 5, 2013.

⁴On May 23, 2013, Lead Presiding Judge Derek C. Swope ordered the University Commons Litigation to be transferred to the Circuit Court of Kanawha County solely for purposes of implementing electronic filing and service. All paper court files remain in the Circuit Court of Monongalia County. Electronic filing and service became effective June 24, 2013.



Float-Sink Litigation

On December 12-14, 2012, Lead Resolution Judge Jay M. Hoke and Resolution Judges Booker T. Stephens and James P. Mazzone conducted mediation of the remaining Float-Sink Litigation cases. The mediation resulted in settlements between plaintiffs and employer defendants, but did not resolve claims against the distributor defendant or the distributor defendant's cross-claims against the employer defendants for contribution and indemnity.

Finding the settlements between plaintiffs and employer defendants constituted good faith settlements, Lead Presiding Judge John A. Hutchison entered an order granting the employer defendants' joint motion to dismiss the distributor defendant's cross-claims on February 21, 2013. The Resolution Judges reconvened mediation on February 22, 2013. The February mediation resulted in a global settlement. On March 13, 2013, the distributor defendant agreed it would not appeal the previously entered order dismissing its cross-claims against the employer defendants if its settlement with the plaintiffs was approved.

On May 3, 2013, the Presiding Judges conducted a hearing and unanimously approved the proposed allocation and distribution of the global settlement between plaintiffs and the distributor defendant. Final orders of dismissal have been entered in 121 of the 130 cases.⁵

On May 29, 2013, with the advice and consent of the panel, Lead Presiding Judge Hutchison granted the motion of defendant Standard Laboratories, Inc., to join Allyson Townsend v. Commercial Coal Testing, Inc., *et al.*, Kanawha County Civil Action No. 13-C-151 with the Float-Sink Litigation. Plaintiff Allyson Townsend alleges she developed medullary carcinoma of the thyroid as the result of being exposed to float-sink chemicals on her father's work clothes.⁶ Plaintiff claims exposure to float-sink chemicals through contact with her father and in utero through her mother's contact with her father's clothes and person. Plaintiff brought suit against her father's employers and the alleged distributor of the chemicals. Motions for partial summary judgment as to all chemicals other than perchloroethylene, and to dismiss third-party defendants who allegedly supplied chemicals other than pechloroethylene, were granted during a hearing on December 23, 2013. Mediation is scheduled in this case on February 26, 2014. Trial is scheduled for July 14, 2014.

Flood Litigation

The panel recommended, approved, and ordered that unclaimed settlement funds be subject to *cy pres* awards, and determined the percentages of such *cy pres* award for each of the counties affected by the July 8, 2001, flooding event. Lead Presiding Judge Hutchison then contacted the chief judge in each affected county to obtain recommendations

regarding appropriate *cy pres* award recipients. The order approving *cy pres* award was entered on July 25, 2013, and the award checks were issued by the general receiver. The final order dismissing the Flood Litigation and removing the cases from the Court's docket was entered on December 18, 2013.

Mingo County Coal Slurry Litigation

Lead Presiding Judge Mazzone continues to enter final orders of dismissal as individual releases are signed and settlement money is distributed. The Court also continues to work through various post-settlement motions.

Mountain State University Litigation

On December 6, 2012, the Supreme Court referred the Mountain State University Litigation to the Mass Litigation Panel. The litigation consists of 282 cases from four circuits alleging harm caused to plaintiffs as the result of Mountain State University's loss of general accreditation, special accreditations in its nursing and nurse anesthetist programs, and any other educational programs that require independent accreditation. The litigation was transferred and consolidated in Kanawha County Circuit Court to facilitate the panel's case management and trial methodologies. The litigation is subject to electronic filing and service, effective February 1, 2013.

On February 1, 2013, the Presiding Judges and the Resolution Judges held a status conference and ruled, among other things, that all Rule 12(b) motions to dismiss for improper venue were denied as moot, and subject complaints were to be answered in ten days; plaintiffs were to file a declaratory judgment action seeking a determination of insurance coverage within fifteen days; all fact sheets were to be completed within 120 days; and all financial information of defendants Mountain State University, Inc., and Charles Polk was to be provided within thirty days. The Panel subsequently ruled that discovery regarding the claims for declaratory judgment was to be completed by July 31, 2013.

The Resolution Judges conducted mediation August 26-28, 2013, but mediation did not result in resolution of the litigation. On November 15, 2013, the Presiding Judges heard motions for summary judgment on the declaratory judgment actions filed by plaintiffs and United Educators, Mountain State University's insurance company. The Presiding Judges unanimously granted in part and denied in part plaintiffs' motion to the extent the Court found there was insurance coverage in the amount of \$10 million under the terms of the 2010-2011 insurance contract between United Educators and Mountain State University for the nursing program cases. The Presiding Judges unanimously granted in part and denied in part United Educator's motion to the extent the Court found there was not insurance coverage in the amount of \$30 million for the nursing program cases. A

⁵Eight of the plaintiffs in the Float-Sink Litigation were employed by Patriot. Because their claims against Patriot are stayed by the bankruptcy of Patriot Coal Corporation, *et al.*, case number 12-51-502-659, currently pending in the United States Bankruptcy Court for the Eastern District of Missouri, their cases will remain open on the Court's docket. There also is an active case that has not settled.

⁶Plaintiff's father, David Townsend, was a plaintiff in one of the Float-Sink Litigation cases referred to the panel. Mr. Townsend's case was settled and subsequently dismissed with prejudice on June 17, 2013.

final judgment order with findings of fact and conclusions of law was entered on December 17, 2013. The Presiding Judges held a status conference on December 23, 2013, to discuss pre-trial discovery, further mediation, and the trial format for the nursing program cases.⁷

University Commons Litigation

On March 28, 2013, the Supreme Court answered a certified question from Monongalia County Circuit Judge Susan B. Tucker in *University Commons Riverside Home Owners Association, Inc. v. University Commons Morgantown, LLC, et al.*, No. 11-1577. The Court determined W. Va. Code § 36B-3-102(a)(4)(2011), "which authorizes a unit owners' association to institute litigation in its own name on behalf of itself or two or more unit owners on matters affecting the common interest community, confers standing on the unit owners' association to assert claims on behalf of two or more unit owners with respect to matters affecting their individual units." See Syl. pt. 4. Finding it unnecessary to address the remaining questions, the Court concluded the case should proceed in accordance with Rule 26 of the West Virginia Trial Court Rules. *Id.*, p. 2. Because the case was before the Court upon questions certified from the circuit court, "upon receipt of a Motion to Refer to the Mass Litigation Panel as provided by Rule 26.06 from the circuit judge, which should be filed and transmitted to the Clerk of this Court forthwith, the appropriate action will be taken." *Id.*, p. 17.

On May 1, 2013, Judge Tucker filed a motion to refer the University Commons litigation to the panel. On May 3, 2013, the Supreme Court granted the motion to refer and authorized the panel to transfer and join with the existing Mass Litigation any similar or related actions pending or subsequently filed. Judge Derek C. Swope was assigned as Lead Presiding Judge, with Judge Alan D. Moats and Judge David W. Hummel, Jr., assisting him. Judge Stephens was assigned as Lead Resolution Judge, with Judge Hutchison assisting him.

On May 23, 2013, Judge Swope ordered *University Commons Riverside Home Owners Association, Inc., on Its Own Behalf and on Behalf Of Its Members and Individual Unit Owners v. R.E. Crawford Construction, Inc., et al.*, Civil Action No. 10-C-637, a related declaratory judgment action pending in the Circuit Court of Monongalia County before Judge Philip D. Gaujot, to be consolidated with the University Commons Litigation. Judge Swope transferred both cases to the Circuit Court of Kanawha County, with all paper court files to remain in the Circuit Court of Monongalia County. Electronic filing and service became effective June 24, 2013.

On July 9, 2013, the Presiding Judges and the Resolution Judges held a status conference during which the panel lifted all stays of discovery; ordered affected parties

to meet and confer in order to resolve a discovery dispute; required plaintiffs to make an accounting of all settlement proceeds disbursed to date; and prohibited distribution of funds from settlement proceeds without prior Court approval; required plaintiffs to serve completed Plaintiff Fact Sheets and a quote to repair alleged systemic problems at the University Commons Riverside Condominium Complex on all parties by August 30, 2013; ordered any defendant with a pending settlement to e-file a motion detailing the terms of the proposed settlement; and scheduled mediation.

On August 21, 2013, the Court entered a case management order requiring mediation to be conducted October 28-30, 2013, in Morgantown, and setting a trial date on August 25, 2014. As the result of mediation conducted by Lead Resolution Judge Stephens and Resolution Judge Hutchison, a global settlement was reached between the plaintiffs and the remaining defendants in the litigation. A hearing on Plaintiffs' Motion to Approve Settlement is scheduled on January 15, 2014.

Electronic Filing and Service in Mass Litigation

From January 2013 through December 2013 in all mass litigation cases subject to electronic filing and service, 89,208 documents were e-filed and 2,665,997 documents were e-served. The statistics include items rejected in the clerk review process in order to capture all work performed in the various circuit court clerks' offices in these litigations, as well as orders, which do not go through the clerk review process.

During 2013, the number of pages electronically filed in all mass litigation cases subject to electronic filing and service totaled 524,562, which equals almost 219 boxes of paper documents, based on 2,400 pages per box. From December 2008, when electronic filing and service was first implemented in certain mass litigation cases, through the end of December 2013, there were 341,914 documents filed electronically, totaling 2,111,737 pages. This translates to almost 880 boxes of paper documents.

From January 2013 through December 2013, a total of 14,465 orders were entered in mass litigation cases subject to electronic filing and service. That number includes bench orders entered by a judge but filed by a circuit clerk or attorney and orders denying motions as moot or withdrawn. Of the 14,465 orders, 13,968 were in asbestos cases; sixty were in float-sink cases; three were in flood cases; 134 were in Mingo County Coal Slurry cases; 253 were in Mountain State University cases; twenty-three were in tobacco cases, and twenty-four were in University Commons cases.

⁷The Court's order did not address whether there is insurance coverage for the limited number of cases referred to the Mass Litigation Panel that arise from MSU's Certified Nurse Anesthetist Program ("CRNA Program"), or that arise from *Dale Burger, et al. v. Mountain State University, Inc., et al.*, Civil Action No. 12-C-1293 KAN, the putative class action arising from MSU's loss of its school-wide accreditation, as no declaratory judgment actions were filed in those cases, notwithstanding the Court's order that such actions be filed within fifteen days of February 1, 2013.

Making Progress on Truancy



School-based probation officers and circuit judges who oversee truancy programs pose for a photo in the Division of Probation Services conference room in Charleston. Standing left to right: Twenty-Fifth Judicial Circuit (Boone and Lincoln Counties) Judge William S. Thompson, Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties) Judge James J. Rowe, Putnam County Probation Officer Beth Wood, Seventh Judicial Circuit (Logan County) Judge Eric H. O'Briant, Cabell County Probation Officer Nikita Jackson, Wayne County Probation Officer Marsha McCallister, and Twenty-Ninth Judicial Circuit (Putnam County) Judge Phillip M. Stowers. Sitting left to right: Monongalia County Probation Officer Aaron Martin, Greenbrier County Probation Officer Suzanne Gunter, Logan County Probation Officer Rebekah Bias, Boone County Probation Officer Stacia Roberts, and Mercer County Probation Officer Nola Ingram. *Photo by Jennifer Bundy*

The Supreme Court launched an initiative in 2011 to coordinate judicial truancy programs in West Virginia. Since then, Justice Robin Jean Davis has continued to meet with judges and educators. As a result, several circuits – including two of the largest, Kanawha and Raleigh – have launched truancy programs, overseen either by a circuit judge or a magistrate. Circuit judges who already had programs – like Putnam County – have continued to believe in their efficacy.

Truancy often leads to dropping out of school. The state graduation rate has increased from 75.54 percent in the 2008-09 school year to 81.39 percent in the 2012-13 school year, an indication that the efforts are bearing fruit. In 2013 the state Department of Education began building a new data reporting system, ZoomWV, that will include a publicly accessible report on truancy by county. This grant-funded project should help state policymakers, local educators, judicial officers, and parents keep better track of the problem.

A key part of judiciary truancy efforts is that they are tailored to individual communities. Local judicial officers are in the best position to know what would work best and what is needed most in their jurisdictions.

"Raleigh County has stepped up and is attempting to address the significant issue of truancy," said Tenth Judicial Circuit (Raleigh County) Judge John A. Hutchison. "Our efforts have shown some beneficial changes in the average daily attendance in Raleigh County with substantial increases in attendance and certain schools and age groups."

The Raleigh County Truancy Court began operating in September 2013. In 2013 the truancy court dealt with 140 criminal complaints against parents and students (over the age of 18). In the same time period, 126 juvenile petitions were filed regarding truancy. The truancy court has dedicated every Thursday afternoon for hearing truancy

matters beginning after school. Every Monday afternoon the truancy court deals with magistrate criminal complaints which allege truancy by students 18 or older or allege parents permit truancy, thus failing to meet their obligations to have their children in school. Prosecutors, public defenders, the DHHR and the Raleigh County School Board all provide resources for the truancy court.

Nineteenth Judicial Circuit (Barbour and Taylor Counties) Judge Alan D. Moats has been working on truancy for years. He works with attendance directors, principals, and teachers. Abuse and neglect charges can be filed against the parents of elementary school students who miss too much school. Representatives of Child Protective Services and the Department of Health and Human Resources attend those hearings in his courtroom because truancy of young children can be a symptom of other problems; an entire family's problems have to be recognized so that truancy can be addressed. Middle school and high school students are old enough to get themselves up and to school, so Judge Moats handles those as status offense cases. Teachers provide monthly reports to Judge Moats and probation officers meet with the student and parents monthly. It's a lot of work for a lot of people. But it appears to be having an effect. In Taylor County, for example, twenty-three students dropped out of school in 2013 compared to forty-five in 2009.

Twenty-Eighth Judicial Circuit (Nicholas County) Judge Gary Johnson also was an early believer in judicial truancy programs. His efforts have led to increased attendance (97.90 average daily attendance rate in the 2012-13 school year compared to 96 in the 2008-2009 school year), fewer dropouts (19 students in the 2012-13 school year compared to 87 in the 2007-08 school year) and fewer expulsions and out-of-school suspensions.

Judge Moats and Judge Johnson are the only judges in their circuits. By comparison, the three-judge Ninth Judicial Circuit (Mercer County) instituted a judicial truancy program in November 2011. Since then, all three circuit judges dedicate approximately 10 percent of their time toward truancy, plus at least four hours each per month conducting hearings after hours. (All truancy hearings are held after school.) One juvenile probation officer works full time on truancy cases and another four devote about half their time to truancy. The truancy rate (percent of student body with five or more unexcused absences) in Mercer County dropped more than 19 percent after the first year of the program. Although it rose slightly in the second year, there was still nearly a 15 percent reduction in truancy after two years. Ninth Judicial Circuit Judge Omar Aboulhosn speculates that the reason there was a slight increase in truancy during the second year (the 2012-2013 school year) was because there was less publicity, leading some to the inaccurate conclusion that truancy was no longer being vigorously pursued.

Between the beginning of the Mercer County program and the end of 2013, 361 truancy status offender cases were filed and 138 education abuse and neglect cases were filed. For the students involved in those cases, there was a 72 percent reduction in truancy, from an average of 4.5 missed days per month to 1.25 missed days per month. Nearly 60 percent missed less than five days, and many missed no school. Before being placed in the truancy program, the students on average had missed more than 28 days each.

In the Sixth Judicial Circuit (Cabell County), Judge Paul T. Farrell and Judge Alfred E. Ferguson have aggressively worked with schools, DHHR, prosecutors, and probation officers on truancy. One school-based truancy probation officer works in conjunction with school attendance officers and concentrates on the middle schools. Prosecutors have filed numerous misdemeanor informations against parents who fail to send their children to school, resulting in increased attendance. The judges also have sent a few parents to jail. In 2013 alone, 149 truancy petitions were filed and 166 criminal warrants/informations were filed against parents. Of the 166, twenty-six were second offenses. The judges did not identify any abuse and neglect cases among these.

Like those in Cabell and Mercer, judges in Boone, Greenbrier, Logan, Monongalia, Putnam, and Wayne Counties have enlisted the help of school-based juvenile probation officers: the officers are employees of the Supreme Court, which has a Memorandum of Understanding with each county board of education. Each of the probation officer positions is funded by a county board of education similar to, but not, a grant. The state Supreme Court invoices the local board quarterly and is then reimbursed.

Seventh Judicial Circuit (Logan County) Judge Eric H. O'Briant said, "We are blessed to have a school-based probation officer. During the last year our school-based probation officer met with 648 middle and high school students. We are in the process of expanding our program to include elementary schools but we are not tracking

numbers of contacts separately. The school-based probation officer assisted 121 high school students that graduated. Our regular probation officers supervised twelve students who graduated on time and we worked with twenty eight students who completed the GED."

In Boone County, Scott High School Graduation Coach Paul Carden said, "The major reason for students dropping out of school is truancy. The hiring of our juvenile truancy probation officer, Stacia Roberts, in coordination with Judge William S. Thompson has greatly contributed to the success of many of these at-risk students. It is my opinion that every county needs one."

"The truancy court has had a positive effect on our juvenile system. We are now catching many minors through truancy before they get into more serious legal problems, and attendance has improved with most of my juvenile clients," said Boone County Attorney L. Scott Briscoe.

Even in a county with a low dropout rate, truancy programs can help.

Mason County's dropout rate is 1 percent, one of the lowest in the state (thirty-six counties have higher rates). Fifth Judicial Circuit (Calhoun, Jackson, Mason, and Roane Counties) Judge David W. Nibert began addressing truancy in the 2010-2011 school year. Between that year and the 2012-2013 school year, the county graduation rate increased from 71.76 percent to 81.82 percent, according to the Mason County Board of Education. Judge Nibert works with the county schools attendance director, county prosecutors, members of the Mason County Bar Association, and the Point Pleasant DHHR Youth Service Worker.

"Thanks to Justice Davis for her leadership in focusing on truancy in the State of West Virginia," Judge Nibert said. "Many times I find that there are underlying issues which give rise to truancy. Unfortunately, we find that bullying remains a significant issue in our schools. In other instances, we have identified special needs such as anxiety and other mental health issues that have contributed to truancy. With the aid of our youth services at DHHR, we have put together individualized plans for these children who have not been otherwise recognized."



From left, Judge Phillip M. Stowers, Judge Eric H. O'Briant, and Judge James J. Rowe meet with school-based probation officers and Division of Probation Services staff. Photo by Jennifer Bundy

Adjudicated Juvenile Rehabilitation Review Commission

Any children ordered into secure facilities are wards of the courts. When youths are removed from their families/homes and are outside of their home communities, detained in secure or residential settings as a result of court orders, they remain a proper concern of the court system.

The Adjudicated Juvenile Rehabilitation Review Commission was established by Administrative Order of the West Virginia Supreme Court of Appeals in July 2011, by then-Chief Justice Margaret L. Workman. The purpose of the commission initially was to examine the Division of Juvenile Services' operations plan and programs at the West Virginia Industrial Home for Youth in Salem and at the Kenneth "Honey" Rubenstein Juvenile Center in Davis. The commission's mission has since expanded to review other facilities and programs operated or contracted by the Division of Juvenile Services and the Department of Health and Human Resources.

Justice Workman appointed a commission of members with varied professional backgrounds. The commission met, made a series of facility visits to the West Virginia Industrial Home and Rubenstein Center, and hired Cindy Largent-Hill as Juvenile Monitor.

Because of the Adjudicated Juvenile Rehabilitation Review Commission's facility visits, staff conversations, resident interviews, and policy reviews, significant findings were discovered. There were serious concerns related to resident confinement, lack of programming, and treatment services, general living conditions, and access to academic and vocational programs. These concerns were shared with the executive and legislative branches, and some changes were made.

The commission is committed to working with all branches of government. During 2013, Stephanie Bond, Acting Director of the Division of Juvenile Services; Karen Bowling, Cabinet Secretary for the Department of Health & Human Resource; and William Laird, State Senator, Co-Chairman of the Regional Jail and Correctional Facility Authority Legislative Interim Oversight Committee and Co-Chairman of "Our Children, Our Future," joined the commission as invited guests during quarterly meetings.

In early 2012 the law firm Mountain State Justice filed a lawsuit on behalf of two West Virginia Industrial Home for Youth residents (*State of West Virginia ex rel. D.L. and K.P. v Dale Humphreys, Director, Division of Juvenile Services, and David Jones, Superintendent of the West Virginia Industrial Home for Youth*). Ninth Judicial Circuit (Mercer County) Judge Omar Aboulhosn was appointed to hear the case. Both parties agreed there should be a monitoring mechanism to ensure compliance with the elements of a November 27, 2012, Agreed Order. Judge Aboulhosn appointed Cindy Largent-Hill to be the monitor. Approval was given for Alicia Lauderman to assist with the monitoring of the facilities and the compliance of the initial agreed and subsequent orders. Throughout the 2013 calendar year, multiple visits were made to all the facilities

operated or contracted by the Division of Juvenile Services.

Alicia Lauderman, West Virginia University extern and commission employee, was especially concerned by reoccurring findings related to family involvement in treatment, attorney representation, and sentencing. She wrote a white paper entitled, "Multidisciplinary Process for Juvenile Status Offenders or Delinquents." As a result, and with the support of the commission, House Bill 2780 passed during the 2013 Legislative Session. The law allows juveniles committed to the custody of the Division of Juvenile Services to have a quarterly review of their service plans by multidisciplinary teams. The law also states that if a juvenile has been detained in a detention facility operated by the Division of Juvenile Services for more than sixty days and does not have an active service plan, the director of that facility may call a multidisciplinary team meeting to review the case. The responsibility for convening and facilitating these multidisciplinary team meetings is with the Division of Juvenile Services case manager.

The West Virginia Division of Juvenile Services, during a March 15, 2013, court hearing, presented a plan to reconfigure its facilities and programs. The West Virginia Industrial Home for Youth closed on July 1, 2013, and subsequently became a correctional complex under the Division of Corrections for adult offenders. This triggered a series of changes in most of the remaining Division of Juvenile Services facilities. Due to safety and staffing concerns, Judge Aboulhosn, during a July 10, 2013, court hearing, ordered the Division of Juvenile Services to expedite its plan to vacate the Harriet B. Jones Treatment Center.

Despite progress on facility issues, the commission continues to be concerned about additional factors that are outside of the authority of the Division of Juvenile Services (*i.e.*, inadequate attorney representation for post-dispositional juveniles, flat sentences). Other struggles within the system include post-dispositional teens aging out/discharging with little or no supports or resources, younger adolescents involved in dangerous behaviors requiring out-of-home interventions, dependence on out-of-home interventions due to lack of community-based options, and the need for qualitative standards to measure program effectiveness. During the December 2013 meeting, at the suggestion of Justice Workman, the commission agreed to form sub-committees that will focus on these important issues.

On May 22, 2013, the National Center for Youth in Custody facilitated a webinar entitled, "Monitoring Conditions from the Inside and Out: Developing Comprehensive Quality Assurance and External Oversight Systems." With the establishment of the commission and subsequently the monitor positions, West Virginia joined in those recommended best practice processes.

A copy of the commission's 2013 annual report is available on the West Virginia Judiciary website at www.courtswv.gov.

Special Projects Division

The Special Projects Division of the Supreme Court Administrative Office provides advisory counsel to the Court, its administrative office, and courts statewide. The division director serves as designee for the Supreme Court and its administrative director on task forces, boards, and commissions examining justice issues in West Virginia; prepares policy studies and reports; and drafts court forms, policy guidance, and other materials for statewide use.

In 2013 Division Director Jennifer Singletary was promoted to deputy administrative director of the courts of West Virginia. She was succeeded as special projects director by Sarah Johnson, who began work at the Supreme Court in August. Ms. Johnson previously was in private practice at Huddleston Bolen from 2010-2013 and was a law clerk for Tenth Judicial Circuit (Raleigh County) Judge John A Hutchison from 2007 to 2009. She has a bachelor's degree in political science from North Carolina State University and a law degree from West Virginia University College of Law.



Sarah Johnson

Language Access in the Courts

The Special Projects Division administers West Virginia's Language Assistance Plan, intended to ensure meaningful access to the courts for individuals who have limited English proficiency. The U.S. Department of Justice has issued language assistance mandates applicable to state courts that benefit from federal revenue, relevant to Title VI of the Civil Rights Act of 1964.

The language access mission statement in West Virginia requires the court system to provide foreign language interpreters and translation services to all persons of Limited or No English Proficiency (LEP), including parents of LEP minors, in criminal and civil court settings, for and during all hearings, trials, and motions, and in important interactions with court personnel. The court system also provides interpreters for preparation in cases that are the responsibility of the state.

The most recent U.S. Census reported that 2.3 percent of West Virginia's citizens speak a language other than English at home. This puts West Virginia ahead of only three other states in being home to foreign-language speakers. Data from FY2013 collected on foreign language services demonstrate that West Virginia courts provided, on average, approximately fifteen instances of foreign language interpretation per month. This includes all requested languages provided in both civil and criminal cases and all methods of interpretation and translation.

Spanish is the most frequently requested language in West Virginia courts, and an individual interpreter from Jefferson County provides nearly one-third of all the state's Spanish interpretation. Despite the comparatively low demand for foreign language interpreters in court settings, West Virginia has emerged as a leader in providing foreign language interpreter and translation services.

All circuit and magistrate courts in West Virginia are equipped to provide qualified foreign language interpreters via videoconferencing units, and interpretation also is provided by telephone and in-person where appropriate. A single-source contractor can provide interpreters of all languages other than Spanish by these means.

West Virginia's Language Access Advisory Group includes Twenty-Third Judicial Circuit (Berkeley, Jefferson, and Morgan Counties) Judge David H. Sanders, Twenty-Fifth Family Court Circuit (Grant, Hardy and Pendleton Counties) Judge Amanda See, Ohio County Circuit Clerk Brenda Miller, and Marshall County Magistrate David Buzzard. The group has identified the following areas as priorities to improve language access in West Virginia: training, demographic assessments, quality control, funding interpreter certification, and creating bench cards for judges.

Reentry Program

The Special Projects Division serves as administrative contact for and counsel to the state's only Judicial Reentry Program, located in the First Judicial Circuit (Brooke, Hancock and Ohio Counties). The program's goal is to reduce West Virginia's prison population by providing an intensive supervision, treatment, and rehabilitation program for eligible candidates, addressing their drug and mental health issues in the hope of breaking the cycle of recidivism. Candidates are screened. Then appropriate participants with addiction or mental health issues are monitored and enrolled in out-patient treatment, overseen by parole officers. The program demonstrates extensive cooperation between the judicial and executive branches of government.

Elder Law

Elder abuse is a problem in West Virginia because of the state's aging population and current economic climate. Financial exploitation of West Virginia's seniors is a prominent focus of both federal and state legislation, and the Special Projects Division serves on the Financial Exploitation Task Force. The Supreme Court also participates in the annual statewide commemoration of Elder Abuse Awareness Day in June. The Special Projects Division continues to collaborate with a group that was awarded a federal grant to train court officials, law enforcement, prosecutors, and others on how to serve older victims of violent crime.

Justice Reinvestment Initiative

The Council of State Governments' Justice Center began working with West Virginia's judiciary, governor's office, and legislature in 2012 to develop data-driven, consensus-based policies to reduce corrections spending and increase public safety. With the help of Supreme Court Administrative Director Steve Canterbury – who is in his fourth term on the Board of Directors of the Justice Center – Carl Reynolds, Megan Grasso, and others from the Justice Center staff conducted an analysis of criminal justice data and interviewed stakeholders throughout the state.

Researchers found that the number of West Virginians whose community-based supervision was revoked, compounded by the length of time they spent in prison once re-incarcerated, was the main cause of growth in the state's prison population between 2007 and 2011. The number of offenders who completed their sentences and had no post-release supervision also increased significantly during the same period. Those who did not adhere to the terms of their probation or parole often had substance abuse problems that were not treated in their communities, the Justice Center found.

West Virginia's Justice Reinvestment plan was designed to address those issues. The plan was codified in Senate Bill 371, which Governor Earl Ray Tomblin signed into law in May 2013.

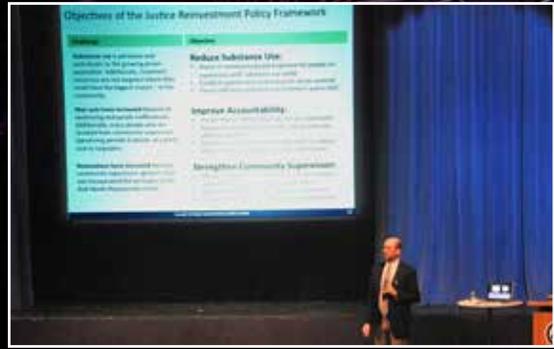
The law strengthens community-based supervision by requiring supervision agencies to use risk assessments. Anticipating this, the Supreme Court in January 2013 approved a new policy directive requiring the administration of a risk and needs assessment test known as the LS/CMI (Level of Service/Case Management Inventory) to each felon in circuit court.

Probation officers began administering the tests August 1.

"This assessment gives each judge objective information about the likelihood of the felon re-offending and what needs must be met to prevent such recidivism," said Mr. Canterbury. "It's another tool at the judge's disposal to help enhance public safety.



Supreme Court Administrative Director Steve Canterbury, center, talks about the Court's new pre-sentencing testing mandate for all felons at The Justice Reinvestment Working Group. Senior Legal and Policy Advisor for the project Carl Reynolds is on the right. Governor Tomblin's Chief of Staff Rob Alsop is on the left. Photo by April Harless



The results of a comprehensive analysis of West Virginia's criminal justice system are presented to a bipartisan panel of state cabinet members, lawmakers, judges, prosecutors, and other state and local leaders at The Culture Center in Charleston on January 22. Photo by April Harless

"Since probation officers carry out investigations about felons and have contact with them and, often, their families, it's the best use of the Court's resources to have probation officers administer the LS/CMI," said Mr. Canterbury. "Every felon has this base-line assessment, however, whether there is a pre-sentencing investigation or not."

The LS/CMI tests cost approximately \$3 each. There were about 8,000 findings of guilt in 2011 in West Virginia. Training probation officers to administer the LS/CMI cost the court system about \$25,000.

After Senate Bill 371 became law, the Justice Center continued to provide technical assistance through its "Phase Two" work. Sarina Rosenberg, Elizabeth Lyon, and their associates have spent countless hours assisting key state workers.

The 2013 West Virginia Justice Reinvestment law also increases accountability. It requires those convicted of violent offenses to receive one year of supervision upon release from prison, and it gives judges the discretion to order those convicted of nonviolent offenses (and not previously paroled) to serve the last 180 days of their sentences under community supervision.

The law also requires the West Virginia Parole Board to interview parole-eligible individuals whose paperwork is not yet complete.

Another key aspect of the law is that it expands access to substance abuse treatment by expanding the use of drug courts to all counties in the state by 2016. And it creates a new "treatment supervision" sentencing option. This option provides substance abuse treatment to individuals under supervision where such treatment is available.

The policies encompassed in the 2013 Justice Reinvestment Act are projected to avert up to an estimated \$200 million in prison and jail construction costs and \$87 million in operating costs between 2014 and 2018. The law also positions West Virginia to reinvest \$3 million of the projected savings into substance abuse treatment for people under community supervision in FY2014.

At the state's request, the Justice Center continues to provide assistance in the implementation of these policies.

Access to Justice

The West Virginia Access to Justice Commission was approved by the Supreme Court of Appeals of West Virginia on December 9, 2008, and established by Administrative Order on January 29, 2009. It was continued by Administrative Order on December 17, 2013.

The charge of the commission is to examine and identify barriers faced by West Virginians when using the civil justice system and to analyze possible ways to overcome those barriers.

Commissioners initially were appointed in 2009 by the Chief Justice and approved by the Court. The terms were outlined in the December 2008 memorandum. The inaugural meeting of the commission took place on October 30, 2009. Subsequent meetings were held over the course of 2010. A director – Deborah Bogan – was appointed for the commission on March 1, 2011.

The commission held six public forums around the state in 2011 to give citizens an opportunity to discuss obstacles which they encountered, or of which they were aware. As a result of the forums, the commission developed committees to review obstacles in specific areas: workers' compensation, *pro bono* work by attorneys, access to the courts by those with disabilities, and elder law. The commission submitted a report of its findings to the Supreme Court in 2013.

The commission in 2013 conducted a *pro bono* survey of members of the West Virginia State Bar and successfully proposed a law (House Bill 3069, signed by Governor Earl Ray Tomblin on May 1, 2013) that provides better access to attorneys in certain workers' compensation cases. The law allows lawyers to be compensated up to \$500 to be charged against the claim administrator if a workers' compensation claimant is successful in obtaining reversal of a medical denial. Previously, claimants had trouble finding lawyers to represent them in these cases because attorneys could not be compensated unless claims were settled or there were monetary awards.

The commission also continued to seek input in such subject areas as housing, access to courthouses, consumer issues, employment, welfare, SSI/SSD, unemployment, and education. The commission's first Strategic Plan was submitted to the Supreme Court of Appeals of West Virginia in 2013. The 2014-2016 Strategic Plan sets forth a roadmap which the commission can use in its mission to support and ensure a statewide, integrated, non-duplicative legal services delivery system, responsive to the access to justice needs of West Virginia citizens.

Access to Justice Commission Members

Chairman

- Jeffrey M. Shawver, Esquire
General Counsel, Director of Government Relations
West Virginia School of Osteopathic Medicine,
Lewisburg

Commission Members

- Robert M. Bastress, Jr., Esquire
John W. Fisher, II, Professor of Law
West Virginia University College of Law
- Brent D. Benjamin
Chief Justice
Supreme Court of Appeals of West Virginia
- James G. Bordas, Esquire
Attorney, Bordas & Bordas, PLLC
Wheeling
- Steven D. Canterbury
Administrative Director
Supreme Court of Appeals of West Virginia
- Harry Deitzler, Esquire
Attorney-Hill, Peterson, Carper, Bee & Deitzler
Charleston
2013-2014 President, West Virginia State Bar
- Charles DiSalvo, Esquire
Woodrow A. Potesta Professor of Law
West Virginia Fund for Law in the Public Interest
West Virginia University College of Law
- Jessica Justice Stolarik, Esquire
Assistant Dean
Continuing Legal Education
West Virginia University College of Law
- David Stuart, Esquire
Senior Assistant West Virginia Attorney General
- Jane Charnock Smallridge, Esquire
Former Family Court Judge
Supreme Court Law Clerk
- Jim Martin, Esquire
Legal Director
Legal Aid of West Virginia
- Catherine D. McConnell, Esquire
Director
West Virginia Senior Legal Aid, Inc.
- Kevin J. Robinson, Esquire
Attorney-Pullin, Fowler, Flanagan, Brown and Poe
Beckley
2014-2015 President, West Virginia State Bar
- Stephanie Welsh
Student Liaison
West Virginia University College of Law
- Reagan Whitmyer, Esquire
Assistant Prosecuting Attorney
Kanawha County
- Adrienne Worthy
Executive Director
Legal Aid of West Virginia

Director

- Deborah M. Bogan

State Law Library

Originally intended for use by government officials when it was created by Virginia statute in 1849 and located in Lewisburg, the State Law Library is now an integral part of the judicial system, providing legal information to all West Virginia citizens. Its primary mission is to assist the Supreme Court of Appeals of West Virginia, the statewide unified court system, and judicial staff in carrying out the administration of justice. The library serves governmental agencies, the legal community, state correctional institution inmates, and the general public.

The State Law Library collection includes more than 150,000 volumes or volume equivalents, CD-ROMs, audio-visual materials, and electronic resources providing access to various online legal information systems. The second largest law library in the state of West Virginia, it is a partial Federal Depository Library with various government documents in print and on microfiche as well as 130 e-books available for download through the Government Printing Office (GPO) Catalog of Government Publications. The Harrison County and Kanawha County Law Libraries, part of the judicial library system, also offer excellent collections of primary legal sources with emphasis on West Virginia case law, codes, and regulations.

Under the direction of Kaye L. Maerz, State Law Librarian, the library is open to the public six days a week, providing access to electronic databases as well as an assortment of federal and state print materials, case reporters, statutes, regulations, legislative materials, and periodicals. Free LexisNexis public access is available for searching West

Virginia Supreme Court cases, the West Virginia Code and Court Rules, state administrative agency materials, the *West Virginia Law Review*, *Martindale-Hubbell law directory*, *West Virginia Mealey's Litigation NewsBriefs*, and state newspapers including the *Charleston Daily Mail*, *The Charleston Gazette*, and *The State Journal*. Free access to HeinOnline offers full-text law review and bar journal articles.

Staffed by three professional librarians and three paraprofessionals, the library provides research and reference assistance, interlibrary loans for court personnel, and a fee-based document delivery service to the general public. Patrons may request legal information by phone, fax, and e-mail.

Free WiFi is available throughout the library to anyone with an Internet-enabled laptop computer, tablet, or smart phone device. In addition, Levels B and C of the library are fully set up for computer use for those who need a "wired" connection. Access to hookups is available above the tables and carrels around the perimeter of all three floors of the library.

The library offers workshops on legal-related topics of interest to the general public with special programs that focus on assisting self-represented litigants with access to justice and navigating the judicial system. For the fifth consecutive year, the State Law Library participated in 2013 in the Volunteer Income Tax Assistance (VITA) program of the Central West Virginia Earned Income Tax Credit (EITC) Coalition. As part of its commitment to public service, the library offers free assistance with basic income tax preparation for low- to middle-income tax payers earning less than \$50,000 per year. IRS-certified library

staff members are trained to ensure taxpayers receive all tax credits for which they are eligible. During the program's run from January through April 2013, a total of 208 tax returns were successfully prepared and e-filed.

The State Law Library is open to the public and all workshops and events are free. The library is located in Room E-404 in the East Wing of the State Capitol. For information about future programs or workshops, call the State Law Library at (304) 558-2607 or visit the website at www.courtswv.gov/public-resources/law-library/law-library-home.html.



Division of Children's Services

The Division of Children's Services in the Supreme Court Administrative Office provides support for the Court Improvement Program and administers the Court's civic education programs, including LAWS (story on page 38); West Virginia Law Adventure (story on page 40); and Robes to Schools (story on page 42). The Division distributes two sets of Justice Case Files, graphic novels on legal topics for high school seniors and elementary school students produced by the National Center for State Courts. The Division also coordinates West Virginia's participation in iCivics, a web-based education project envisioned by former U.S. Supreme Court Justice Sandra Day O'Connor that teaches students about civics and the judicial system.

Division of Children's Services Director Nikki Tennis and Public Education Coordinator Kandi Greter collaborate with private non-profit groups and state agencies on numerous projects, including National Adoption Day which was on November 23. The main event was held at Valley Worlds of Fun in Fairmont.

Although more than 1,000 children eligible for adoption remain in foster care in West Virginia, the number of foster children being adopted is increasing, from 523 in FY2008 to 632 in FY2012. West Virginia also is making progress in finding adoptive homes for children in out-of-home care who are victims of child abuse and neglect, according to performance measures.

The amount of time it took to find a permanent placement for a child after an original petition was filed went from 602 days in 2008 to 475.2 days in 2012, the most recent year for which data is available. That's according to a report published in November 2013 by the Supreme Court Division of Court Services, based on data from the West Virginia Child Abuse and Neglect Database.

The time it took to terminate parental rights after an original petition is filed dropped from 103.7 days to 76.1 days between 2008 and 2012.

The database also shows positive trends in time to adjudication and disposition in child abuse and neglect cases.

Court Improvement Program

The Supreme Court established the West Virginia Court Improvement Program (CIP) Oversight Board in 1995 to enhance outcomes for children and families in child abuse and neglect cases. Continuing the work of the Broadwater Committee, which the Supreme Court established in the mid-1990s and named after then-Circuit Judge and Committee Chairman W. Craig Broadwater, the Court Improvement Program is funded by federal grants from the Administration for Children and Families and matching Court funds. The board is led by Chairman Gary L. Johnson, Judge of the Twenty-Eighth Judicial Circuit (Nicholas County). The board and its subcommittees create, identify, and promote initiatives to improve safety, permanency, well-being, due process, and timely outcomes for children and families in the child welfare system.

With seven subcommittees, the Court Improvement Program has numerous projects, among them the Benchbook for Child Abuse and Neglect Proceedings and Juvenile Abuse and Neglect Information System (JANIS).

The board also funds cross-training conferences each year, which bring together judges, prosecutors, child and parent attorneys, foster parents, West Virginia Department of Health and Human Resources caseworkers, social workers, counselors and psychologists, Court Appointed Special Advocate volunteers, law enforcement officers, and others involved in the child abuse and neglect process. The seminars are sponsored by the Supreme Court and the West Virginia Coalition Against Domestic Violence.

The theme of the 2013 conferences was "Don't Forget to Remember Us," a reminder that the wishes and best interests of children are paramount.

Chief Justice Brent D. Benjamin opened the 2013 series of conferences with a speech on July 9 at the Martinsburg Holiday Inn, and he addressed the closing session on July 11. "Every child deserves an address, a home, a school, and a loving, supportive family. Each child deserves nurturing, and a fair chance to fulfill his or her future. Every child deserves permanency in his or her life," he said. "We cannot let these children be forgotten."

About 140 professionals attended the Martinsburg training, which was repeated to a group of three hundred at Embassy Suites Hotel in Charleston beginning on July 15.

One day of each of the three-day conferences was devoted to juvenile law: Justice Margaret Workman opened that session in Charleston. Another day of each conference was devoted to training for attorneys who want to be guardians *ad litem* for children in child abuse and neglect cases. A panel of young adults who were in the state's care also shared their experiences and recommendations for systemic improvement.

Also in 2013, the Supreme Court and the Court Improvement Program established the New View Project to tackle cases in which children have been in out-of-home placements for lengthy periods.

New View, inspired by Georgia's Cold Case Project, allows seven lawyer "viewers" to explore the cases of fifty children (at a time) lingering in out-of-home care and to make specific recommendations for finding them permanent homes.

The "viewers" were trained in April 2013. They were taught how to conduct investigations, develop family trees, hunt down relatives, and about which options they could recommend for permanent placement. The goal of New View is to link children with adults who will remain in their lives and who have the resources to help them become successful adults themselves.

At the end of 2013, team members produced reports on each child and a statistical report intended to offer guidance to the courts and the DHHR.

Supreme Court hears LAWS docket in Elkins



Supreme Court Justices enjoy hearing cases outside of Charleston's Supreme Court Chamber. From left: Justice Robin Jean Davis, Chief Justice Brent D. Benjamin, Justice Margaret L. Workman, and Justice Allen H. Loughry II. *Photo by Michael Switzer*

About 250 high school students from Randolph, Upshur, and Barbour Counties had the opportunity to see the Supreme Court of Appeals of West Virginia in person when the Court heard arguments in four cases on April 9 at the Randolph County Courthouse in Elkins.

The Court's visit to Elkins was part of the 2013 LAWS (Legal Advancement for West Virginia Students) program. LAWS is a partnership between the court system, schools, local bar associations, and the community that teaches students about the Judicial Branch of government. Since Justice Robin Jean Davis began the program when she was Chief Justice in 1998, about 4,500 high school and college students in twenty-two counties have participated.

Teachers whose classes attended the Court session had previously had a training session with Supreme Court personnel. At that session, teachers received information about the state and federal court systems, suggested exercises for students, and summaries of the real Supreme Court cases their classes would hear. Volunteer attorneys from the area also met with students to discuss the court system and the cases. On the day of LAWS, students heard arguments in the case they studied, then met with the attorneys who argued that case in a "debriefing" session in the courtroom.



As part of the LAWS program, Supreme Court Clerk Rory Perry, center, and the attorneys who argue a case answer questions from students after each argument. Assistant Attorney General Laura Young, left, represented the state and Wheeling attorney Gerald Jacovetty represented and argued for petitioner Elliott Fitzsimmons. *Photo by Michael Switzer*

The Supreme Court held the first LAWS program in Beckley in 1999. Other LAWS programs have been held in Clarksburg, Huntington, Wheeling, Summersville, Martinsburg, Parkersburg, Charleston, Romney, Princeton, Lewisburg, Moundsville, and Charles Town.

"I was surprised to see the judges interact so much with the lawyers and ask so many questions," Pickens School Junior Alexis Chandler told *The [Elkins] Inter-Mountain*. "I thought they might let the attorneys talk a little more.

"I learned a lot," Chandler said. "It was very interesting."

Elkins High School senior Chelsea Channell told the newspaper she had been hoping for more debate between the attorneys and justices in a case about student loans.

"We've been going over the law and the (state) code for about two weeks," Channell said. "It was intense, but I was hoping for a little bit more argument. I don't think they (attorneys) did enough research. It would have been better if they would have looked at how other states handle the issue."

Twentieth Judicial Circuit (Randolph County) Judge Jaymie Godwin Wilfong said, "I am proud that our Supreme Court makes projects such as this a priority. We are fortunate to have Justices who see the benefit and importance of outreach projects, and we are proud to have served as the host court."



Assistant Attorney General Andrew Mendelson argues for the state in a case filed by a juvenile who was adjudicated truant as a status offender. Photo by Michael Switzer



Elkins High School students ask questions after hearing arguments in a case involving the state's Crime Victim's Compensation Fund. Photo by Michael Switzer

West Virginia Law Adventure



Justice Allen H. Loughry II presides over an April 19 mock trial in the Supreme Court Chamber presented by eighth-grade students of Ms. Dianna Eary at Keyser Primary-Middle School in Mineral County. *Photo by Michael Switzer*

The Supreme Court's West Virginia Law Adventure program requires participating classes to write mock trial scripts based on one of three criminal case scenarios created by the Young Lawyers Section of the West Virginia State Bar. Each participating class must act out its script in front of a judicial officer - magistrate, family court judge, or circuit judge - before sending in a written entry. Winners in each category are invited to perform their scripts in front of a Supreme Court Justice. Students' trips to the local courthouses and the Supreme Court are paid for by a grant from the West Virginia Bar Foundation.

Because the West Virginia Board of Education changed its Social Studies Content Standards and Objectives in 2012, the Supreme Court opened the mock trial program to fifth graders in 2013.

On April 19 Justices welcomed winners of the 2013 West Virginia Law Adventure competition to the Capitol. Fifth-graders who are students of Ms. Jennifer Sisson at Jefferson Elementary in Wood County performed their trial with Justice Margaret L. Workman presiding. Eighth-grade students of Ms. Dianna Eary at Keyser Primary-Middle School in Mineral County presented their trial before Justice Allen H. Loughry II. A combined-grade group of students from Horace Mann Middle School in Kanawha County who are students of Ms. Sarah Stover presented their trial in front of Justice Robin Jean Davis.

Although not every school won, being able to write a trial script, act it out in a real courtroom, and get the feedback of a judge or magistrate was still a good learning opportunity.

For example, a group of gifted fifth-grade students from elementary schools across Wood County presented a mock trial before Fourth Judicial Circuit (Wirt and Wood Counties) Judge J.D. Beane on February 21.



Horace Mann Middle School student Will Slicer makes a presentation during a mock trial in the Supreme Court Chamber. Behind him is fellow student Zach Ihnat. *Photo by Michael Switzer*

The experience made a big impression on Matthew Lebo. "This is the first time I've seen a courtroom," he told WTAP-TV. "I haven't even seen it on TV. I've never watched court shows like that."

In Kanawha County, seventh-grade students from Stonewall Jackson Middle School in Charleston learned about the Law Adventure program too late to participate in it, but still wanted to have the opportunity to do a mock trial. Thirteenth Judicial Circuit (Kanawha County) Judge Louis H. "Duke" Bloom hosted them in his courtroom on April 10.

Teacher Heather Mottesheard's government and law class performed a script they wrote based on the book *Monster* by Walter Dean Myers. The book tells the story of a 14-year-old charged with murder in a drug store robbery.

Mottesheard said the experience gave her class a hands-on lesson in what it's like in a real courtroom. "This is a big reward for them because they've all done so well in the class. They enjoyed it and I've thoroughly enjoyed being with them."



Students of Ms. Heather Mottesheard at Stonewall Jackson Middle School in Kanawha County perform a mock trial in the courtroom of Thirteenth Judicial Circuit (Kanawha County) Judge Louis H. "Duke" Bloom. *Photo by Michael Switzer*



Supreme Court Justice Margaret Workman poses with fifth-grade students of Ms. Jennifer Sisson at Jefferson Elementary in Wood County. Justice Workman presided in a mock trial the students presented in the Supreme Court Chamber on April 19. *Photo by Michael Switzer*



Supreme Court Justice Robin Jean Davis poses with students from Horace Mann Middle School in Kanawha County who are students of Ms. Sarah Stover. Justice Davis presided in a mock trial the students presented in the Supreme Court Chamber on April 19. *Photo by Michael Switzer*

Robes to Schools



Supreme Court Justice Allen H. Loughry II speaks to students at St. Marys High School on December 5. Photo by Jennifer Bundy

The Robes to Schools program was established by then-Chief Justice Robin Jean Davis in 2007 to encourage justices, judges, and magistrates to interact more with West Virginia students. The program has been endorsed by the state Board of Education and supports the board's Partnership for Twenty-First Century Skills goal of improving civic literacy. Robes to Schools also supports the Supreme Court's desire to improve the lives of all West Virginia children, not just those who come in direct contact with the court system through a legal case. Some of the 2013 events are listed below.

- Kanawha County Magistrate Julie Yeager delivered the "Reader's Oath" on February 25 to students at Montrose Elementary School in South Charleston. Magistrate Yeager's appearance at the school was in honor of Read Across America Day, an annual event held on or near the March 2 birthday of the late Theodor Seuss Geisel, better known as Dr. Seuss. She also visited Chesapeake Elementary on March 1.
- Sixth Family Court Circuit (Cabell County) Judge Patricia A. Keller gave a presentation about juvenile offenders, substance abuse, and sentencing alternatives on March 18 at Potomac State College in Keyser, her home town. The program was part of the school's Women's History Month celebration.
- Thirteenth Judicial Circuit (Kanawha County) Judge Louis H. "Duke" Bloom participated in Career Day at Cedar Grove Community School on March 26. He talked to elementary and middle school students.
- Thirteenth Judicial Circuit (Kanawha County) Judge Carrie Webster hosted a group of fifth graders from Overbrook Elementary School for a mock trial in her courtroom on March 28. They participated in *The Three Bears v. Goldilocks*; the issue was whether she was guilty of bad manners. The trial was based on materials from the American Bar Association.
- Randolph County Magistrate George M. "Mike" Riggleman visited Highland Adventist School on April 25 to speak with students about the court system.
- The Supreme Court hosted the Fifty-Sixth Youth in Government judicial program in the Supreme Court Chamber on April 27.
- Judge Bloom presided over a mock trial between St. Albans High School students and Nitro High School students at the Kanawha Valley Community and Technical College in early May.
- Sixteenth Judicial Circuit (Marion County) Judge Michael J. Aloji presided in a mock trial in his courtroom presented by criminal justice students at the Marion County Technical Center. A few weeks earlier he visited the campus to preside over jury selection. The trial was held during the spring semester.

- Genoa Elementary third-, fourth-, and fifth-grade students went on a field trip to the Wayne County Courthouse in May to conclude a long classroom study on local government. Students toured county offices and met with Twenty-Fourth Judicial Circuit (Wayne County) Judge James H. Young, Jr., prior to a court hearing that they observed. Wayne County Magistrate John Cavins also met with the students and explained the process of the magistrate court system.
- Tenth Family Court Circuit (Boone and Lincoln Counties) Judge Cynthia J. Jarrell participated in career day at Scott High School on October 17.
- Twenty-Fourth Family Court Circuit (Berkeley and Jefferson Counties) Judge William T. Wertman, Jr., joined second-grade students at Marlowe Elementary School in Berkeley County during a lunch period in November to talk about what judges do and about careers in the field of law. They were a spirited and inquisitive group. After savoring their Friday pizza and before returning to class, they enjoyed striking the gavel and saying "order in the court."
- Judge Aloï spoke about treatment court programs at a forum sponsored by the West Virginia Wesleyan College Pre-Law Society and Annie Merrier Pfeiffer Library on November 4 at the school.
- On November 13, Logan County Magistrate Dwight A. Williamson read to a second-grade class at Holden Central Elementary School, where his wife is principal. He also has visited middle schools and high schools, often using Supreme Court transcripts of a 1932 Logan County murder trial which was appealed to the Supreme Court of Appeals of West Virginia. He wrote an October 30 article in *The Logan Banner* about the case, revealing the burial place of the victim, Mamie Thurman. Her half-brother, a retired prosecutor from New Mexico, came to Logan almost thirty years ago to try to place a head stone on her grave, but her final resting place was not found then, or before the brother died.
- Justice Allen H. Loughry II spoke to about 175 juniors and seniors at St. Marys High School in Pleasants County on December 5. He talked to junior and senior civics students about the court system and answered their questions.
- Preston County Magistrate Lew Ault hosts the forensics class from Preston County High School in his courtroom twice each year. He talks to them about the history of magistrate courts in West Virginia and the magistrate court process.
- Twelfth Family Court Circuit (McDowell and Mercer Counties) Judge Anthony Bisaha hosted a mock trial with students from Concord University. Judge Bisaha every year helps students in prelaw classes argue a case in preparation for a national mock trial program. He also is involved in the Read Aloud program at elementary schools.
- Twelfth Family Court Circuit (McDowell and Mercer Counties) Judge Lisa K. Clark participated in her circuit's outreach to local high schools. She visited Princeton Senior High School and the Mercer County Technical Education Center once per semester and spoke to four classes per visit about teen dating violence.
- Tucker County Magistrate Assistant Deborah Hovatter read to a fourth-grade class at Tucker Valley Elementary/Middle School on her lunch break every Thursday during the year, as she has been doing for the eight years she has worked in magistrate court. Although she does not read books regarding the court system, she does talk about where she works and what her work entails. Some of the children to whom she has read have come to magistrate court with their parents, and she believes it is reassuring for them to see a friendly face. Sometimes students also take a field trip to visit magistrate court.
- Thirteenth Family Court Circuit (Raleigh, Summers, and Wyoming Counties) Judge K. Bruce Lazenby read once a week at Hinton Area Elementary School and at Pineville Elementary School.



Supreme Court Justice Robin Jean Davis, right, and Assistant Court Clerk Vaughn Summers, center, speak to fourth-grade students from Winfield Elementary School in the Supreme Court Chamber on November 8. At left is parent Jim Rank. *Photo by Jenifer Bundy*

Court Outreach



Chief Justice Brent D. Benjamin speaks to students attending the May 1 Law Day ceremony in the courtroom of Eighth Judicial Circuit (McDowell County) Judge Booker T. Stephens in the McDowell County Courthouse in Welch. Seated, from left: Twelfth Family Court Circuit (McDowell and Mercer Counties) Judges Anthony Bisaha and Mary Ellen Griffith; Ninth Judicial Circuit (Mercer County) Judge Omar Aboulhosn; Senior Status Judge John Hrko of the Twenty-Seventh Judicial Circuit (Wyoming County); Eighth Judicial Circuit Judge Rudolph J. Murensky, II; and Twelfth Family Court Circuit Judge Lisa Clark. Judge Stephens is seated to the right of the podium. *Photo by Michael Switzer*

The Supreme Court of Appeals is committed to improving access to the courts and knowledge about the court system. The Chief Justice writes a column in the State Bar's *West Virginia Lawyer* magazine, and the Court makes its rules, opinions, and other documents available on its continually expanding website, www.courtswv.gov. The Justices, the court clerk, administrative director, division directors, circuit judges, family court judges, and magistrates also make numerous speeches throughout the year on topics concerning the court system.

The 2013 activities include the following:

■ The Eleventh Family Court Circuit (Kanawha County) Bench/Bar Committee hosted its Second Annual Black History Month Continuing Legal Education Presentation, Special Thanks and Recognition Reception, and "Star" Celebration on February 28 in the Kanawha County Judicial Building. Attorney Jeff C. Woods talked about "Exploring diversity and cultural issues confronting first responders in domestic calls." Attorneys who attended received 1.8 CLE credits. The Family Court also honored notable African American first responders, including former Charleston Police Chief Dallas Staples; Ivin Lee, former Dunbar Police Chief (and Charleston Police Officer) and retired Executive Director of the West Virginia Human Rights Commission; Charleston Fire Chief Charles Overstreet, Jr.; State Police Sgt. Tony Bolland; State Police Lt. Reginald Patterson; and the late Kanawha County Deputy Sheriff James Craig.

■ The Supreme Court heard four cases on a Rule 20 Argument Docket and judged the annual George C. Baker Cup moot court competition on March 5 at the West Virginia University College of Law in Morgantown. The 2013 Baker Cup went to Zach Viglianco.



Chief Justice Brent D. Benjamin speaks to the West Virginia Chamber of Commerce on August 28 at The Greenbrier. *Photo courtesy of The Greenbrier*

■ Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties) Judge James J. Rowe made a presentation to the Senate Judiciary Committee on March 5 about the Greenbrier Juvenile Drug Court and truancy program. Judge Rowe was joined by Greenbrier County Assistant Prosecutor Jennifer Dent; Greenbrier County Schools Attendance Director Patti Burdette; Juvenile Drug Court Coordinator Dustin Martin; and Suzanne Gunter, the school-based probation officer in Greenbrier County schools.

■ The Supreme Court heard cases at West Virginia State University in Institute for the first time on April 24. The court heard one case on a Rule 20 Argument Docket and three cases on a Rule 19 Argument Docket.

■ Chief Justice Brent D. Benjamin was the main speaker at the McDowell County Law Day program on May 1 at the McDowell County Courthouse in Welch.

Law Day was proclaimed by President Dwight D. Eisenhower in 1958 as a day to reflect on the role of law in the founding of our country and recognize its importance in society. The national theme for Law Day 2013 was "Realize the Dream: Equality for All." McDowell County school children participated in an essay contest, poster contest, and song contest with that theme. Winners were given awards at the event. The awards are sponsored by Eighth Judicial Circuit (McDowell County) Judges Booker T. Stephens and Rudolph J. Murenky, II.

■ Chief Justice Benjamin spoke to the West Virginia Chamber of Commerce on August 28 during its Annual Meeting and Business Summit at The Greenbrier.

■ Justice Robin Jean Davis gave the keynote address during West Virginia Wesleyan College's Homecoming 2013 Founders Day Convocation on October 11, in the Wesley Chapel on the college campus. Justice Davis also received an Honorary Doctor of Laws degree and was hooded by College President Pam Balch. Justice Davis, a Boone County native, received her bachelor's degree from West Virginia Wesleyan College in 1978 and her master's degree and law degree from West Virginia University in 1982.

■ Supreme Court Clerk Rory Perry spoke to an interim legislative committee in the House Judiciary Committee Room on August 19 about the Revised Rules of Appellate Procedure.



Top photo: Supreme Court Chief Justice Brent D. Benjamin presents the Baker Cup to winner Zach Viglianco. The Court judges the appellate advocacy competition for second-year law students during its annual visit to the West Virginia University College of Law. *Photo by April Harless*

Center photo: Chief Justice Brent D. Benjamin, left; Kim Miller, director of development for Prestera, center; and Kelly Sizemore, a former drug user who is now a social worker participate in a panel discussion at Park Place Cinemas in Charleston on July 23 after the film *Oxyana* was shown by the West Virginia International Film Festival. *Photo by Jennifer Bundy*

Bottom photo: Supreme Court Clerk Rory Perry talks to a legislative interim committee about the Revised Rules of Appellate Procedure on August 19 in the House Judiciary Committee Room. *Photo by April Harless*

Division of Probation Services



A group of Intensive Supervision Officers are sworn into service in a ceremony April 24 in the Supreme Court Chamber. From left to right: Brian Moore, Monica Brown, Jennifer Lester and Javan Eary, all Region IV; Jeffery Carter, Benjamin Ahmed, and James Conley, all Region II; and Travis Roberts, Region I. Photo by Jennifer Bundy

Probation officers provide many services to circuit courts, such as conducting investigations and drug screenings, preparing pre-sentence reports, recommending sentences for criminal offenders, and monitoring offenders sentenced to probation or supervised release. Officers also work closely with community agencies such as day report centers, schools, substance abuse facilities, local community health centers, community service work providers, the West Virginia Department of Health and Human Resources, and other state agencies in order to link services for persons under probation officers' supervision.

The West Virginia court system has seventy-five adult, 121 adult-juvenile, and seventy-one juvenile probation officers. Those officers together supervised more than 16,200 adult and juvenile offenders during 2013, with an average caseload of eighty-four per officer and an annual cost of \$1,350 per offender.

The Division of Probation Services is responsible for the development and oversight of adult and juvenile drug courts in West Virginia. The West Virginia Adult Drug Court Program is a partnership between the criminal justice, social service, substance abuse treatment, and law enforcement systems. The program seeks to achieve

a reduction in recidivism and substance abuse among offenders and to increase the likelihood of successful rehabilitation. It does this through intense, evidence-based treatment programs; frequent, random, and observed drug testing; community supervision; appropriate sanctions and incentives; and other rehabilitation services, all of which are supervised by drug court probation officers. On any given day more than 8,400 adults are under some form of supervision by probation officers, of which approximately four hundred are in adult drug court.

The West Virginia Juvenile Drug Court Program is a cooperative effort of the juvenile justice, social service, law enforcement, and education systems. This program is an early/earlier intervention program that seeks to divert non-violent juvenile offenders exhibiting alcohol or substance abuse behavior from the traditional juvenile court process to an intensive, individualized evidence-based treatment process. The goal of the program is to reduce future court involvement for the teens. On any given day in West Virginia, more than 7,800 youths are under some form of court-ordered diversion program or supervision by probation officers, of which approximately two hundred are in juvenile drug court. Annual West Virginia juvenile

probation reports demonstrate that controlled-substance violations are the third-largest category of offenses charged.

As of December 31, 2013, there were sixteen operational juvenile drug courts and twenty operational adult drug courts. These programs are overseen by Lora Maynard, one of two Deputy Directors of the Division of Probation Services.

The Office of the West Virginia Interstate Compact for Juveniles also resides within the Division of Probation Services. The compact regulates the movement and supervision between states of juveniles under community supervision. It is designed to ensure public safety and create an effective and efficient means of transferring, tracking, and supervising juveniles between states. Juvenile probation officers provide supervision of juveniles transferred to West Virginia through the compact. The Probation Division's Compact Office manages more than one hundred active cases each year and handles the return of juvenile runaways, absconders, and escapees. Randall Wagner serves as the Administrative Coordinator of Probation Services and the Interstate Compact.

Division of Probation Services Director Mike Lacy is the state's designated commissioner to the national Juvenile Interstate Commission and serves as the state Administrator of the Juvenile Compact.

The Division of Probation Services also is responsible for implementing and overseeing six Intensive Supervision Officer (ISO) regions, each of which has a regional coordinator. The specialized, multi-circuit, intensive supervision officers work closely with treatment providers and polygraph operators to enhance public safety. The officers have received special training in the supervision of sex offenders. ISOs also supervise offenders who have been placed on extended supervised release for child abuse and

neglect. Caren Bills oversees this program as Deputy Director of the Division of Probation Services.

The ISO program was developed under the leadership of Justice Robin Jean Davis when she was Chief Justice in 2006 and 2007. Her support was crucial in refining the vision of the supervision protocol. The ISO unit within the Division of Probation Services with its 38 officers is fully operational throughout the state. On any given day these specialized officers supervise more than four hundred adult and juvenile sex offenders living in communities.

The School-Based Probation Officer program expanded to eight circuits in 2013. Those circuits include Logan, Wayne, Cabell, Mercer, Monongalia, Greenbrier, Boone, and Putnam Counties. This group of specialized probation officers works in locally designated public schools within their circuits to address students' behavior and attendance issues early, with the goal of diverting youth from entering the juvenile justice system.

The Division of Probation Services also includes Counsel Robert McKinney, who also assists with the administration of the adult and juvenile drug courts, and Tim Hanna as Drug Court Quality Assurance and Field Support Coordinator. Hanna monitors and evaluates both adult and juvenile drug courts for effectiveness and assists with technical assistance training. Chris Perry joined the Division on October 21, 2013, as the Drug Court Development and Training Specialist. He previously was the first School-Based Probation Officer in Wayne County and a Wayne County Juvenile Drug Court Probation Officer.

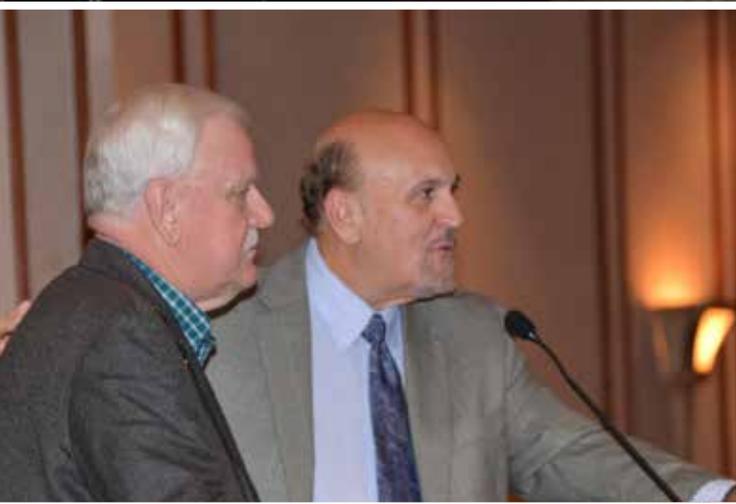
Jessica Napier joined the Division on August 1, 2013, as the Evidence-Based Practices and Quality Assurance Specialist subsequent to the adoption, first by the Supreme Court and later by the Legislature, of a risk and needs assessment instrument. The Level of Service/Case Management Inventory (LS/CMI) is used by probation, and all probation officers are now fully certified to administer it. She has played a crucial role in the training, policy development, certification, implementation, and oversight of the LS/CMI. She will be working to ensure quality assurance in the use of the LS/CMI and other evidence-based practices as they are implemented throughout the West Virginia Probation Division.



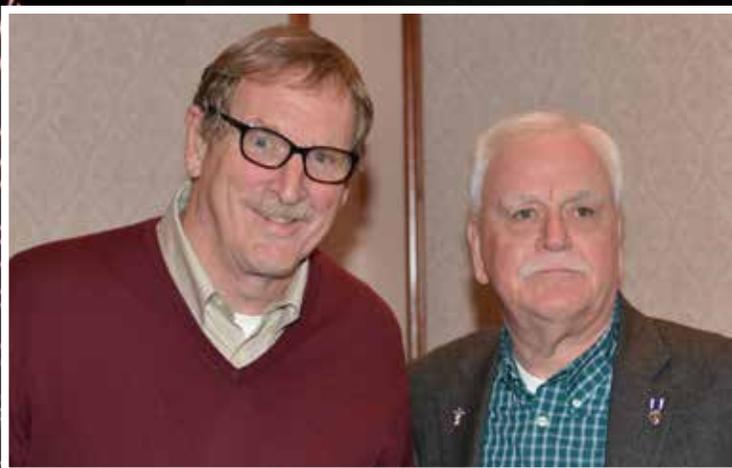
2013 Probation Officer of the Year, Ruby Gail Fry of the Twenty-Fourth Judicial Circuit (Wayne County), receives her award at the October 24 West Virginia Association of Probation Officers annual banquet in Charleston. Wayne County Probation Officer Deborah L. Baker, left, and Division of Probation Services Director Mike Lacy, right, congratulate her. Photo by Jennifer Bundy



Probation officers receiving awards for ten years of service are, from left to right: Kimberly Tipton of the Seventh Judicial Circuit (Logan County); Kelly White of the Twenty-Sixth Judicial Circuit (Lewis and Upshur Counties); Katherine Boggs of the West Central Regional Drug Court; Lucy Cruickshanks of the Fourteenth Judicial Circuit (Braxton, Clay, Gilmer, and Webster Counties); Erika Elswick of the Thirteenth Judicial Circuit (Kanawha County); Heidi Hawkins of the Twentieth Judicial Circuit (Randolph County); Barbara McGill of the Twenty-Third Judicial Circuit (Berkeley, Jefferson, and Morgan Counties); and Nicole Serafine of the First Judicial Circuit (Brooke, Hancock, and Ohio Counties). The awards were presented at the October 24 West Virginia Association of Probation Officers annual banquet in Charleston. *Photo by Jennifer Bundy*



Retiring Chief Probation Officer Jim Lee receives a gold badge from Mike Lacy, Director of the Division of Probation Services, at the October 24 West Virginia Association of Probation Officers annual banquet in Charleston. Mr. Lee, who is retiring from the First Judicial Circuit (Brooke, Hancock and Ohio Counties) after working for the court system for thirty-eight years, was among the founders of the association and a leader in the establishment of community corrections in West Virginia. *Photo by Jennifer Bundy*

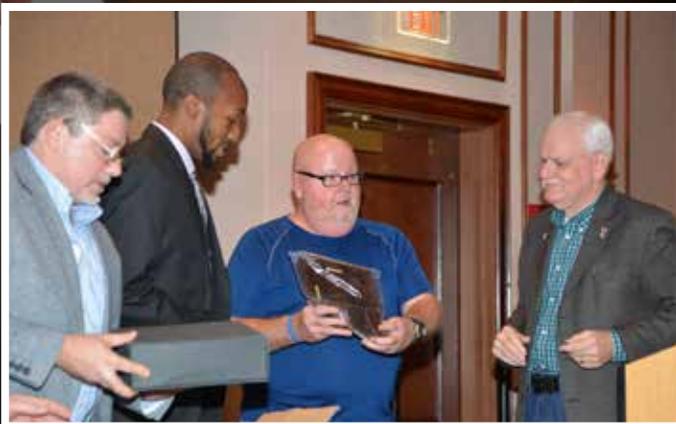


Carl McLaughlin of the Thirteenth Judicial Circuit (Kanawha County), left, and Jim Lee of the First Judicial Circuit (Brooke, Hancock, and Ohio Counties) are among retirees who received awards at the October 24 West Virginia Association of Probation Officers banquet in Charleston. *Photo by Jennifer Bundy*

Three probation officers received awards for thirty years of service at the October 24 West Virginia Association of Probation Officers annual banquet in Charleston. From left, Carla Preece of the Thirtieth Judicial Circuit (Mingo County), Joseph Allen of the Ninth Judicial Circuit (Mercer County), and Judy Jones of the Thirteenth Judicial Circuit (Kanawha County). *Photo by Jennifer Bundy*



Twelve probation officers receive awards for twenty years of service at the October 24 West Virginia Association of Probation Officers annual banquet in Charleston. From left to right, Crystal Thomas of the Eighteenth Circuit (Preston County); Thomas Carpenter of the Sixteenth Circuit (Marion County); Ruby Gail Fry of the Twenty-Fourth Circuit (Wayne County); DeLaine Buckley of the Twenty-Third Circuit (Berkeley, Jefferson, and Morgan Counties); Karen Lemons of the Eleventh Circuit (Greenbrier and Pocahontas Counties); Sandra O'Brien of the Twenty-First Circuit (Grant, Mineral, and Tucker Counties) and Vickie Britner of the Fourteenth Circuit (Braxton, Clay, Gilmer and Webster Counties). *Photo by Jennifer Bundy*



From left, West Virginia Association of Probation Officers President C. Mark Hofe, association scholarship recipient Shawn Dyer, Twenty-First Circuit Chief Probation Officer Jerome "Butch" DiBacco, and First Circuit Chief Probation Officer Jim Lee at the October 24 West Virginia Association of Probation Officers annual banquet in Charleston. *Photo by Jennifer Bundy*

West Virginia Drug Courts in 2013

Programs for Adults

Cabell County Adult Drug Court

- Established in 2009
- Sixth Family Court Circuit Judge Patricia Keller, presiding through the order of Sixth Judicial Circuit Judge Alfred Ferguson
- Handles post-plea and probation violation cases

Kanawha County Adult Drug Court

- Established 2009
- Thirteenth Judicial Circuit Judge Jennifer Bailey, presiding
- Hybrid DUI/drug court handling pre-adjudication, post-conviction, probation violation, and DUI cases

Logan County Adult Drug Court

(formerly Southwestern Regional ADC)

- Established in 2008
- Seventh Judicial Circuit Judges Eric H. O'Briant and Roger L. Perry, presiding
- Handles post-plea and probation violation cases

Mason County Adult Drug Court

- Established in 2013
- Fifth Judicial Circuit Judge David Nibert, presiding
- Handles pre-plea, post-plea, and probation violation cases

Monongalia County Adult Drug Court

- Established in 2009
- Seventeenth Judicial Circuit Judge Russell Clawges, Jr., presiding
- Handles post-plea and probation violation cases

Northern Panhandle First Circuit Adult Drug Court

- Established in 2005
- Serves Brooke, Hancock, and Ohio Counties
- First Judicial Circuit Judges Martin J. Gaughan and David J. Sims, Brooke County Magistrate Robin Snyder, Hancock County Magistrate William S. Hicks, and Ohio County Magistrate Patricia Murphy, presiding
- A hybrid DUI/drug court handling pre-plea, post-plea, probation violation, and DUI cases

Northern Panhandle Second Circuit Adult Drug Court

- Established in 2005, split from First Judicial Circuit on September 1, 2009
- Serves Marshall, Tyler, and Wetzel Counties
- Second Judicial Circuit Judge David W. Hummel, Jr., and Marshall County Magistrate David Buzzard, presiding
- Hybrid DUI/drug court taking pre-plea, post-plea, probation violation, and DUI cases

Preston County Adult Drug Court

- Established in 2009
- Eighteenth Judicial Circuit Judge Lawrence S. Miller, Jr., presiding
- Handles post-plea and probation violation cases

Putnam County Adult Drug Court

- Established in 2013
- Twenty-Ninth Judicial Circuit Judge Joseph Reeder, presiding
- Handles post-plea and probation violation cases

Randolph County Adult Drug Court

- Established in 2012
- Twentieth Judicial Circuit Judge Jaymie Godwin Wilfong, presiding
- Handles pre-plea, post-plea, and probation violation cases

Southeastern Regional Adult Drug Court

- Established 2009
- Serves Greenbrier and Pocahontas Counties
- Eleventh Judicial Circuit Judges Joseph C. Pomponio, Jr., and James J. Rowe, presiding
- Hybrid DUI/drug court handling pre-plea, post-plea, probation violation, and DUI cases

Southern Region Adult Drug Court

- Established in 2006
- Serves McDowell, Mercer, Monroe, Summers, and Wyoming Counties
- Ninth Judicial Circuit Judges Omar Aboulhosn, William J. Sadler, and Derek C. Swope, presiding
- Handles pre-plea, post-plea, and probation violation cases

Twenty-Fifth Circuit Adult Drug Court

(formerly Southwestern Regional ADC)

- Established in 2008
- Serves Boone, Lincoln, and Logan Counties
- Twenty-Fifth Judicial Circuit Judge William S. Thompson presiding.
- Hybrid DUI/drug court handling pre-plea, post-plea, probation violation, and DUI cases

Wayne County Adult Drug Court

- Established in 2011
- Twenty-Fourth Judicial Circuit Judge Darrell Pratt, presiding
- Handling pre-plea, post-plea, and probation violation cases and has a specialized veterans track

West Central Regional Adult Drug Court

- Established in 2007
- Serves Doddridge, Pleasants, Ritchie, Wirt, and Wood Counties
- Fourth Judicial Circuit Judge Jeffrey B. Reed, presiding
- Hybrid DUI/drug court handling post-plea, probation violation, and DUI cases

Programs for Juveniles

Brooke/Hancock Juvenile Drug Court

- Established in 2010
- First Judicial Circuit Judge Martin J. Gaughan, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition intervention

Cabell County Juvenile Drug Court

- Established 1999, ran for four years, re-established 2007
- Sixth Family Court Circuit Judge Patricia A. Keller, presiding
- Post-adjudication diversion; post-disposition intervention

Eastern Panhandle Juvenile Drug Court

- Established in 2011 for operation in 2012
- Twenty-Fourth Family Court Circuit Judge David Greenberg, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition diversion

Greenbrier County Juvenile Drug Court

- Established in 2012
- Eleventh Judicial Circuit Judges Joseph C. Pomponio, Jr., and James J. Rowe, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition diversion

Harrison County Juvenile Drug Court

- Established in 2011 for operation in 2012
- Fifteenth Judicial Circuit Judge Thomas Bedell, presiding
- Pre-petition diversion and post-adjudication diversion

Kanawha County Juvenile Drug Court

- Established in 2011 for operation in 2012
- Eleventh Family Court Circuit Judge Mike Kelly, presiding
- Pre-petition diversion and post-adjudication diversion

Logan County Juvenile Drug Court

- Established 2009
- Seventh Judicial Circuit Judge Eric H. O'Briant, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition intervention

McDowell County Juvenile Drug Court

- Established in 2012
- Twelfth Family Court Circuit Judge Lisa K. Clark, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition diversion

Mercer County Juvenile Drug Court

- Established 2009
- Twelfth Family Court Circuit Judge Mary E. Griffith, presiding
- Post-adjudication diversion

Monongalia County Juvenile Drug Court

- Established in 2010
- Seventeenth Judicial Circuit Judge Phillip D. Gaujot, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition intervention

Putnam County Juvenile Drug Court

- Established in 2010
- Twenty-Ninth Judicial Circuit Judge Phillip M. Stowers, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition intervention

Randolph County Juvenile Drug Court

- Established in 2010
- Twentieth Judicial Circuit Judge Jaymie Godwin Wilfong, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition diversion

Twenty-Fifth Circuit Juvenile Drug Court

- Established in 2010
- Twenty-Fifth Judicial Circuit Judge William S. Thompson and Tenth Family Court Circuit Judge Scott E. Elswick, presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion and post-adjudication diversion; post-disposition intervention

Wayne County Juvenile Drug Court

- Established in 2007
- Twenty-Fourth Judicial Circuit Judge James H. Young, Jr., presiding
- Pre-petition diversion; signed, but non-filed petition diversion; filed petition diversion; post-disposition diversion

Wood County Juvenile Drug Court

- Established in 2010
- Third Family Court Circuit Judge C. Darren Tallman, presiding
- Post-adjudication diversion; post-disposition intervention

Mental Hygiene System

Mental Hygiene Commissioners

Chief circuit judges appoint attorneys to act as mental hygiene commissioners. The commissioners preside over hearings on involuntary hospitalization, guardianship, and conservatorship. They issue transport orders for voluntary admission of minors to mental health facilities, upon affidavit. The number of mental hygiene commissioners varies per county depending upon need.

Circuit judges have jurisdiction over all matters presided over by mental hygiene commissioners and must enter all orders for final commitment, guardianship, and conservatorship for which mental hygiene commissioners hold hearings as triers-of-fact for the circuit court. Mental hygiene commissioners have jurisdiction to enter probable cause involuntary hospitalization orders, which are valid for up to thirty days of inpatient hospitalization.

A chief circuit judge also may designate magistrates to preside over probable cause involuntary hospitalization cases. Final involuntary hospitalization cases, which can involuntarily hospitalize an individual for up to two years, may be presided over only by a circuit judge or a mental hygiene commissioner, with the final order signed by the circuit judge.

In some counties, both mental hygiene commissioners and designated magistrates are appointed by the chief circuit judge to do portions of the work. If there are no commissioners appointed by the chief judge, designated magistrates can do only probable cause cases, and final commitments and guardianship cases are handled by circuit judges.

In 2013, 6,659 mental hygiene petitions were filed in West Virginia's circuit courts and magistrate courts. That compares to 7,682 in 2012; 8,278 in 2011; 7,913 in 2010; 8,164 in 2009; 8,109 in 2008; 6,549 in 2007; 8,877 in 2006; 7,773 in 2005; 7,878 in 2004; and 7,950 in 2003.

All mental hygiene commissioners meet bi-annually at an education conference sponsored by the Supreme Court of Appeals of West Virginia for training; new mental hygiene commissioners are trained annually. They learn the latest changes in state and federal laws, procedures, and protocols, and are provided instruction on the manifestations of mental illness and addiction.

Linda Richmond Artmez is Director of Mental Hygiene and Treatment Court Services in the Supreme Court Administrative Office. Alisha Lawson is state treatment court assistant. Lou Weisberg is data quality manager for the Central State Mental Health Registry; Robyn Clark is data quality assistant; and Brianna Yoho is administrative assistant for the division.

Mental Health Registry

Mental hygiene commissioners, designated magistrates, and circuit judges are an integral part of the reporting process required for West Virginia's Central State Mental Health Registry and the National Instant Criminal Background Check System (NICS), a branch of the FBI's National Crime

Information Center. State and federal law requires reporting of information to these electronic data systems of persons disqualified to purchase or possess firearms by reason of commitments to mental institutions, appointment of guardians due to mental illness or insanity, and criminal case adjudications of not guilty or inability to stand trial by reason of mental illness or insanity.

Mental hygiene commissioners, designated magistrates, and circuit judges are responsible for having registry forms completed and submitted as they adjudicate those who come before them in these cases. The state mental health registry requires the person's name, date of birth, date of commitment, and address at the time of commitment. The NICS Index also requires the person's gender. West Virginia, in addition, provides natural eye color, race, place of birth, height, and Social Security numbers as additional identifiers to assist in FBI identification. Such information is to be uploaded within seventy-two business hours of entry of applicable orders.

The West Virginia central state mental health registry also provides real time access to sheriffs across the state for purposes of concealed weapons permits, and it provides notification to the West Virginia State Police for cross-reference with the West Virginia concealed handgun registry. The West Virginia court system's work on the project was funded by two grants from the National Criminal History Improvement Program and two federal NARIP (NICS Act Record Improvement Program) grants.

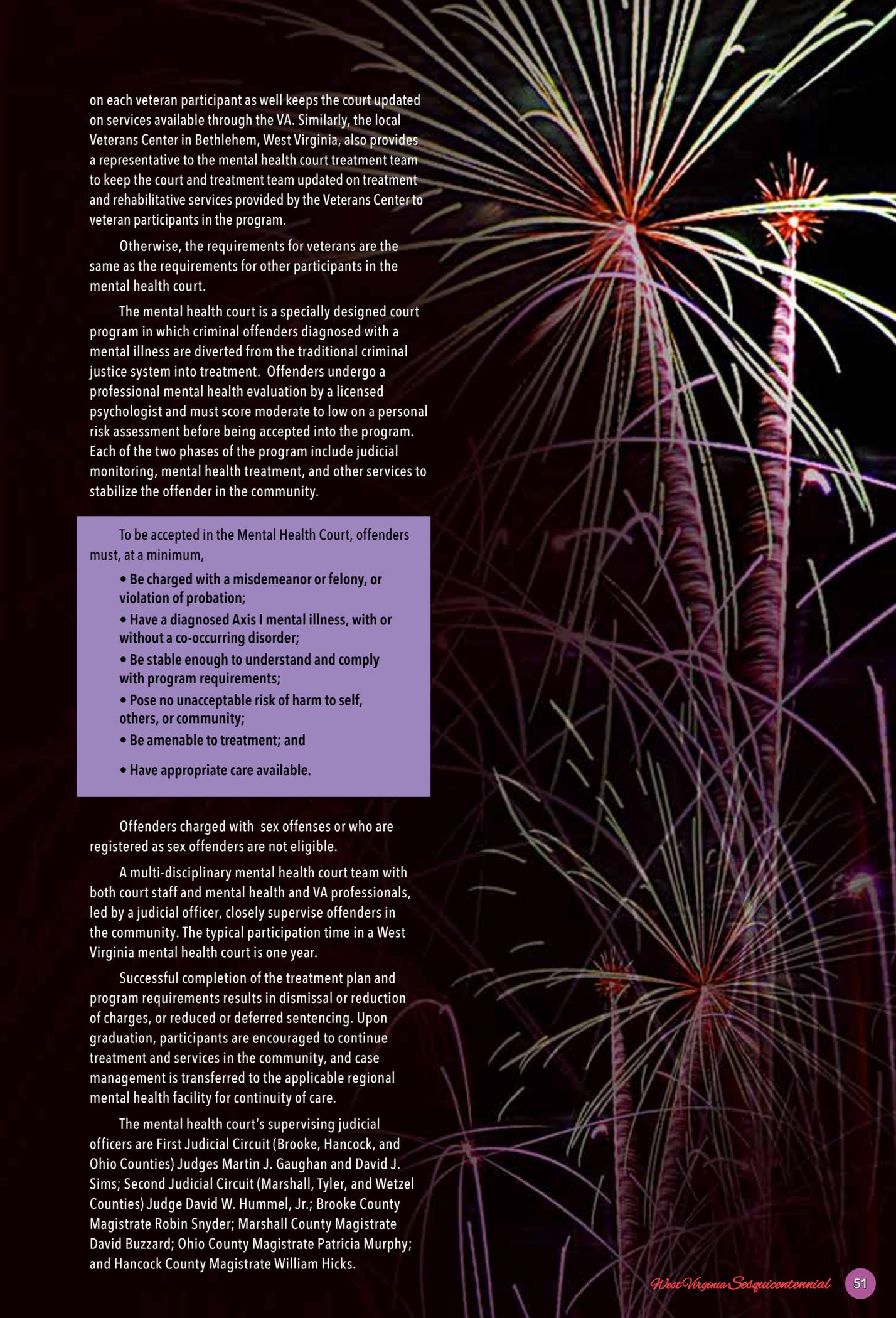
Adult Mental Health and Veterans Treatment Court

The Northern Panhandle Mental Health Court is West Virginia's first and only mental health court. It was established in 2003 and serves Brooke, Hancock, Marshall, and Ohio Counties. The program was named the Northern Panhandle Mental Health and Veterans Treatment Court in 2012 to recognize formally a Veteran-specific track within the program.

The veteran's track is the first program of its kind in the state and is the result of collaboration with the U.S. Department of Veterans Affairs. It is designed to help non-violent criminal offenders who have been diagnosed with mental illnesses, like post-traumatic stress disorder, so they can receive treatment in lieu of incarceration.

Each participant has a court-trained veteran mentor. The veteran mentor is not part of the treatment team, but is a volunteer who understands what the veteran participant has gone through in combat and the culture of the military. The mentor acts as a "battle buddy" as the veteran participant makes the difficult changes needed to his or her life to succeed in the program.

The Veterans Administration supplies a Veteran's Justice Outreach Specialist, or "VJO," who is part of the mental health court team. The VJO provides a connection and information between the VA treatment and the court



on each veteran participant as well keeps the court updated on services available through the VA. Similarly, the local Veterans Center in Bethlehem, West Virginia, also provides a representative to the mental health court treatment team to keep the court and treatment team updated on treatment and rehabilitative services provided by the Veterans Center to veteran participants in the program.

Otherwise, the requirements for veterans are the same as the requirements for other participants in the mental health court.

The mental health court is a specially designed court program in which criminal offenders diagnosed with a mental illness are diverted from the traditional criminal justice system into treatment. Offenders undergo a professional mental health evaluation by a licensed psychologist and must score moderate to low on a personal risk assessment before being accepted into the program. Each of the two phases of the program include judicial monitoring, mental health treatment, and other services to stabilize the offender in the community.

To be accepted in the Mental Health Court, offenders must, at a minimum,

- Be charged with a misdemeanor or felony, or violation of probation;
- Have a diagnosed Axis I mental illness, with or without a co-occurring disorder;
- Be stable enough to understand and comply with program requirements;
- Pose no unacceptable risk of harm to self, others, or community;
- Be amenable to treatment; and
- Have appropriate care available.

Offenders charged with sex offenses or who are registered as sex offenders are not eligible.

A multi-disciplinary mental health court team with both court staff and mental health and VA professionals, led by a judicial officer, closely supervise offenders in the community. The typical participation time in a West Virginia mental health court is one year.

Successful completion of the treatment plan and program requirements results in dismissal or reduction of charges, or reduced or deferred sentencing. Upon graduation, participants are encouraged to continue treatment and services in the community, and case management is transferred to the applicable regional mental health facility for continuity of care.

The mental health court's supervising judicial officers are First Judicial Circuit (Brooke, Hancock, and Ohio Counties) Judges Martin J. Gaughan and David J. Sims; Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties) Judge David W. Hummel, Jr.; Brooke County Magistrate Robin Snyder; Marshall County Magistrate David Buzzard; Ohio County Magistrate Patricia Murphy; and Hancock County Magistrate William Hicks.

Court Technology

Unified Judicial Application

In 2013 the Division of Technology continued to work on the Unified Judicial Application (UJA), which will provide more accurate and privacy-secured statistics to the public, Legislature, and other government agencies.

Eventually under the UJA, courts in all counties will have a similar computer system and will be linked, allowing an individual's activity with the court system to be available at all court locations quickly and easily. The UJA also will allow more efficient record-keeping of costs and fees assessed and collected and more effective auditing to ensure collections are distributed to the appropriate funds.

The UJA will encompass docketing, scheduling, calendar management, sentencing, event management, integrated accounting, forms generation, management reporting, evidence tracking, file tracking, on-line documents, and public Web access.

By the end of 2013, the UJA was online in magistrate courts in Greenbrier, Monongalia, Monroe, Pocahontas, Preston, Summers, Taylor, and Tucker Counties. Prior to a new location being added, Division of Technology staff members must perform network and equipment site visits, conduct four weeks of training broken into two sessions, merge legacy data, and conduct a complete data conversion.

In 2013 all UJA counties and several planned counties began scanning paper documents in preparation to convert to an electronic case file system, so those locations not yet connected will have electronic case files ready to be attached to the UJA record. Magistrate Court Division Director Janie Moore, Magistrate Court Field Coordinator Caroline Stoker, Greenbrier Magistrate Clerk Deborah Kaizer, and Greenbrier Deputy Clerk Karen Hanna led the way on the scanning project. At the end of 2013, there were more than 100,000 scanned documents and more than 200,000 cases stored and retrievable by magistrate court staff in any UJA county.

The Law Enforcement Officer, or LEO system, was developed in 2011 so law enforcement officials could access the UJA. Users have instant access to filtered court record information stored within the UJA.

Network Infrastructure

In 2013, the division started planning the upgrade of all Windows XP computers to Windows 7 because Windows XP support ends in March 2014. Quotes and approval to replace ageing desktop computers were secured. It was determined that about 1,200 of the desktop computers were well beyond their "end of life" and had to be replaced, while more than 1,800 other desktops needed minor fixes before upgrading to Windows 7.

The division in 2013 also upgraded several server and information storage systems in the datacenter through the use of grant funding secured by the Division of Court Services.

Intranet and Training

In the fall of 2010, the Division of Technology created an Intranet site for court employees. It includes forms, directories, schedules, and conference planning materials. The Intranet site platform upgrade planning started during 2013 with a complete platform upgrade scheduled for 2014.

The Division of Technology completed the setup of two training rooms in 2013. The rooms are equipped with restricted Internet/Intranet access from training terminals and each training terminal is able to be monitored remotely by the class instructor.

Mental Health Registry

The Division of Technology helps maintain the Mental Health Registry, a computerized system to automate reporting of individuals prohibited by state and federal laws from purchasing or possessing firearms.

In 2013 the Division of Technology rebuilt the Mental Hygiene application to take advantage of new technology and programming methods. The production rollout must run simultaneously with an upgrade to Windows 7 and should be completed prior to the fourth quarter of 2014.

Jury Management System

A new centralized jury management system was established in 2012. The database maintained by the Supreme Court Administrative Office tracks how juries are selected and paid throughout the state. The design premise is to provide "software as a service" to circuit clerks and their staffs, therein reducing the amount of items installed on each workstation. That in turn reduces the required onsite technical support and the amount of phone technical support needed, which are realized by the Supreme Court as financial reductions in a total cost of ownership. The only item installed on each circuit court computer is a 350-kilobyte icon.

In 2012 the Division of Technology upgraded eighteen circuit court locations to the new jury management system. Nineteen more were added in 2013. Barbour, Braxton, Grant, Lincoln, Pendleton, Randolph and Wyoming Counties are scheduled to be added in 2014.

Jefferson, Berkeley, Monongalia, Marion, Harrison, Doddridge, Lewis, Upshur, Fayette, Tucker, and Wood Counties remain undecided about the new system and continue to use their original jury method and systems.

E-filing begins in West Virginia

The first case to be electronically filed in a West Virginia court was filed on December 10 by attorney J. Scott Tharp of Tharp, Liotta & Yokum of Fairmont. Supreme Court Chief Justice Brent D. Benjamin attended a press conference that day in the Marion County Circuit Clerk's Office to mark the occasion.

"We want to run this one case through the process so any errors encountered will be discovered now and removed. This approach will afford the Court insight to ensure success when e-filing rolls out statewide," said Matt Arrowood, Director of the Supreme Court's Division of Circuit Clerk Services.

After the case was filed, staff in the Marion County Circuit Clerk's Office resumed training so that more cases can be filed in preparation for e-filing to be open to the general public in Marion County in early 2014. The Supreme Court Administrative Office also envisions opening e-filing to the public in Jefferson County in early 2014, then to other pilot counties, then slowly rolling out the program statewide. Other than Marion and Jefferson, the pilot counties are Berkeley, Braxton, Cabell, Hampshire, Harrison, Lewis, Lincoln, Morgan, Ohio, Randolph, Upshur, and Wood. West Virginia is a leader in transitioning records from hardcopy paper format to digital.

Marion County and Jefferson County were the first to go online with electronic filing because employees in those offices already have scanned several years' worth of documents. Marion County has scanned circuit court documents for fifteen years and has scanned 60 percent of all files preceding 1998, while Jefferson County has scanned all documents ever filed in the Circuit Clerk's Office, including those relating to the John Brown trial in 1859, said Mr. Arrowood.

In the e-filing system, anyone who wants to file a case in a circuit court is able to file documents electronically themselves. If they so choose, self-represented litigants may give paper documents to clerk's office staff members to scan and file. Confidential documents are electronic but remain confidential. Public documents that have been scanned from previous years, as well as those filed every day at a circuit clerk's offices, are available online in a PDF format. Any file available to the public in a circuit clerk's office is available from any computer anywhere to anyone who is registered with the system.

"During the pilot project period, there is no additional filing fee and no cost to view or download documents," said Steve Canterbury, Supreme Court Administrative Director. A committee will study the cost of the new system and determine what a reasonable filing fee and user fee should be once the system is expanded statewide. "It will be paid for by the users, not by taxpayers," Mr. Canterbury said. "So if you never file anything with the courts and never want to look at a court document, you never have to pay for any of this."

The Supreme Court is paying for the new technology in all circuit clerks' offices.

Marion County Circuit Clerk Barbara Core retired in August after 26 years in office so she could begin work September 1 as the liaison between the state judicial system and On-Line Information Services, Inc., of Mobile, Alabama, a company that provides the electronic capability that will allow electronic filing using Software Systems of Morgantown's case management system.

Mr. Canterbury and Mr. Arrowood said Ms. Core is the perfect person for her new job because she has been a pioneer in electronic record-keeping in West Virginia. "There is nobody in the state who can do this better," Mr. Canterbury said.

The Division of Circuit Clerk Services was established in August 2013 to serve as a liaison between clerks and the Supreme Court Administrative Office on filing and other projects. It also provides jury management services. Mr. Arrowood became the first director. He had been deputy director of court services since 2008 and has worked for the Supreme Court since 2005. He has a bachelor's degree from Marshall University.



Supreme Court Chief Justice Brent D. Benjamin, left; Director of Circuit Clerk Services Matt Arrowood, center; and Marion County Circuit Clerk Rhona Starn at a press conference in her office to announce the first electronic filing of a court document in West Virginia on December 5. Photo by Jennifer Bundy

Court Security

Every time a defendant pays court costs on criminal violations in West Virginia, a portion goes to the Court Security Fund, managed by the Supreme Court of Appeals of West Virginia and the West Virginia Division of Criminal Justice Services through the Court Security Board. The board, by statute, is led by the Supreme Court Administrative Director. For violations in magistrate court, the amount of court costs dedicated to the fund is five dollars. A substantial amount of money is, thereby, created which pays for crucial security needs in counties.

In 2013, \$765,485 in grants was given to eighteen county commissions for the purpose of enhancing the security of county court facilities and to the Supreme Court for training court bailiffs. Grant funds vary each year.

The following awards were made in 2013:

Administrative Agency	Amount Approved
Berkeley County Commission	\$ 24,350
Boone County Commission.....	22,680
Braxton County Commission	25,300
Calhoun County Commission.....	14,658
Doddridge County Commission	74,663
Hardy County Commission	40,900
Jackson County Commission	46,928
Kanawha County Commission	20,993
Mineral County Commission.....	29,000
Mingo County Commission.....	23,238
Monroe County Commission	118,008
Preston County Commission.....	12,500
Putnam County Commission	14,750
Roane County Commission	53,273
Upshur County Commission	38,176
Wetzel County Commission	22,052
Wood County Commission.....	33,294
Wyoming County Commission.....	34,048
W.Va. Supreme Court	\$116,674
Total	\$ 765,485

In Memoriam

Former Bar Counsel, Comp Judge Jack M. Marden Dies

Jack M. Marden of Souderton, Pennsylvania, died July 18, at his home of renal failure. He was 80. He died on his fifty-seventh wedding anniversary.

Before he retired to Pennsylvania, Judge Marden served as the Chief Bar Counsel for the Supreme Court of West Virginia. He then served as a trial judge with the West Virginia Office of Workers' Compensation.

Before he went to work for the state of West Virginia, Judge Marden retired from the Army as a colonel. He served in the Army Judge Advocate General's Corps for more than thirty-one years, beginning in 1957. Among his titles were deputy judge advocate commander-in-chief, Pacific area command; legal adviser to NATO forces southern region in Italy, Greece, and Turkey; circuit judge, Fort Dix; circuit judge, Germany; and appellate criminal court judge with the Court of Military Review, the army's highest criminal court.

A decorated combat veteran, he received numerous honors, including the Legion of Merit; Meritorious Service Medal with Oak Leaf Cluster; and Army Commendation Medal with Oak Leaf Cluster.

For the last nineteen years of his life he served as chairman of the Souderton Zoning Hearing Board. He also was a board member of Generations of the Indian Valley and helped make it a national model for senior adult centers. He also served as an arbitrator with Montgomery County Court. A longtime master Mason, he joined Shiloh Lodge F. & A.M. 558 of Souderton. Judge Marden was the national president of National Sojourners and a national commander of the Heroes of '76, a Masonic organization dedicated to patriotism. He was awarded its Medal of Honor in 2010. Judge Marden also served as the president and lay leader for Tiferes B'nai Israel synagogue in Warrington.

He is survived by his wife, the former Joan Halperin; a son; a daughter; four grandchildren; and a great-grandson.



Jack M. Marden

Mental Hygiene Commissioner Barry Lee Casto Dies

Mason County Mental Hygiene Commissioner Barry Lee Casto died September 17 at Allegheny General Hospital in Pittsburgh, Pennsylvania. He was 62.

He was born in Point Pleasant and was a 1968 graduate of Point Pleasant High School. He earned a bachelor's degree in political science from West Virginia University in 1972 and a law degree from Ohio Northern University in 1976. He practiced law with Casto & Casto, LLC, from 1979 until his death.

A Point Pleasant resident, he was a member of the Mason County Bar Association, Kappa Sigma fraternity, the American Legion, and the Moose. He was also past president and member of the local Rotary club.

He is survived by his wife, Pamela; two sons; a daughter; and two grandchildren.



Barry Lee Casto

Transitions

Two Circuit Judges Retire, One is Sworn in as a Senator

Two long-time circuit judges retired in January and one swore in the other as a West Virginia Senator in the Senate Chamber.

Twenty-Second Judicial Circuit (Hampshire, Hardy, and Pendleton Counties) Judge Donald H. Cookman was sworn in by his brother-in-law, Twenty-Sixth Judicial Circuit (Lewis and Upshur Counties) Judge Thomas H. Keadle on January 31, the same day Judge Keadle retired. Judge Keadle is married to Judge Cookman's sister, Beverly.

Judge Cookman retired January 23, the same day Governor Earl Ray Tomblin appointed him to a seat in the Fifteenth Senatorial District (Hampshire, Morgan, and portions of surrounding counties). Judge Cookman filled the seat vacated by Senator Walt Helmick, who was elected West Virginia Agriculture Commissioner in the November 2012 general election. Judge Cookman had been a circuit judge since 1993 and an attorney since 1971. He was the Hampshire County prosecuting attorney from 1973 thru 1992, and he served as a special prosecuting attorney in Hardy, Pendleton, and Mineral Counties. During his years as a circuit judge he served as a special judge in other counties on numerous occasions.

Judge Keadle had been a circuit judge since 1984. He served four years in the Marines, eight years as a State Police trooper, and ten years as an attorney in private practice. He is a graduate of West Virginia University and the West Virginia University College of Law.

At the swearing-in ceremony for Judge Cookman, Thirteenth Judicial Circuit (Kanawha County) Judge Tod Kaufman welcomed the approximately one hundred guests, including Chief Justice Brent Benjamin, Justice Robin Jean Davis, Administrative Director Steve Canterbury, several circuit judges, and many members of the legislative and executive branches.

West Virginia Senate President Jeff Kessler welcomed Judge Cookman and joked he would do everything he could to "make the transition easy from one co-equal branch of government to the more co-equal branch of government."

Judge Cookman said he was honored and humbled to be appointed Senator and that he looked forward to moving from interpreting laws to making laws. "Hopefully I will do a great job and do the people of West Virginia justice," he said.

A reception in the Capitol Rotunda followed the ceremony.



Former Twenty-Second Judicial Circuit (Hampshire, Hardy, and Pendleton Counties) Judge Donald Cookman was sworn in as a West Virginia Senator in a ceremony on January 31 in the Senate Chamber. From left, Judge Cookman, Paula Cookman, and Twenty-Sixth Judicial Circuit (Lewis and Upshur Counties) Judge Thomas Keadle. *Photo by Jennifer Bundy*



From left, Senior Status Judge Thomas H. Keadle, Twenty-Sixth Judicial Circuit (Lewis and Upshur Counties) Judge Kurt Hall, Senior Status Judge John Henning, Supreme Court Chief Justice Brent D. Benjamin, and Fifteenth Judicial Circuit (Harrison County) Judge James Matish attend the investiture ceremony for Judge Hall at the Lewis County Judicial Annex in Weston on August 9. *Photo by Jennifer Bundy*

New Circuit Judge Takes Office in Lewis, Upshur Counties

Harrison County Assistant Prosecutor Kurt W. Hall was sworn in as a judge in the Twenty-Sixth Judicial Circuit (Lewis and Upshur Counties) on August 9 in the circuit court courtroom in the new Lewis County Judicial Annex in Weston. Although the annex was not yet open for business, it was opened to the public especially for the swearing-in event.

Senior Status Judge John L. Henning delivered the oath of office.

Then-Chief Justice Menis Ketchum appointed Judge Henning (and Chief Justice Brent Benjamin renewed the order) to serve in the Twenty-Sixth Circuit on December 28, 2012, when he learned of the January 31, 2013, retirement of Judge Thomas Keadle. Judge Henning began serving in the two counties on February 1.

Judge Hall has a bachelor of science in Mining Engineering Technology from Fairmont State University. He worked as a Project Engineer/Certified Mine Foreman's Assistant before earning a law degree from West Virginia University College of Law in 1995.

Judge Hall was a law clerk in an Elkins law firm, a Public Defender in the Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties), and then a Randolph County Assistant Prosecuting Attorney for the eleven years before he took the bench.

He and his wife, Liz, live in Jane Lew with their three children.

New Circuit Judge Takes Office in Potomac Highlands

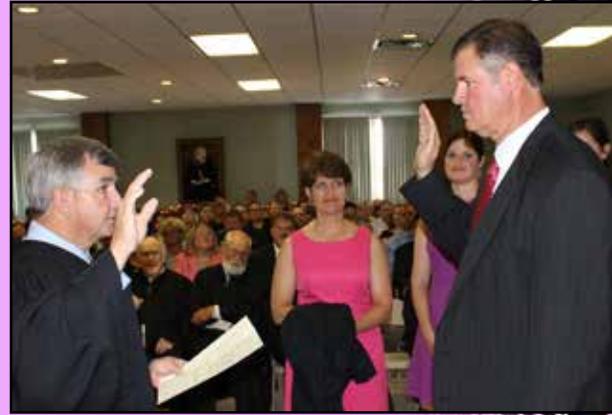
H. Charles "Charlie" Carl, III, was sworn in as a judge in the Twenty-Second Judicial Circuit (Hardy, Hampshire, and Pendleton Counties) in a ceremony on August 16 in the Hampshire County Judicial Center in Romney. The senior judge in the circuit, Chief Judge Charles E. Parsons, delivered the oath of office.

Judge Carl was appointed to the bench on July 18 by Governor Earl Ray Tomblin to fill the vacancy created on January 23 when Governor Tomblin appointed then-Judge Donald Cookman to serve as state Senator for the Fifteenth Senatorial District. Chief Justice Brent D. Benjamin appointed Senior Status Judge Thomas H. Keadle to serve in the interim.

Judge Carl has been an attorney since 1987 when he joined his grandfather in the firm Ansel and Carl. The firm, now Carl, Keaton, Frazer and Milleson, PLLC, handles civil and criminal litigation.

Judge Carl is a graduate of the University of Pittsburgh at Johnstown and Capital University Law School. He has served as general counsel for the Bank of Romney and is a former board member of The Potomac Center, Inc., a non-profit mental health residential facility located in Romney. He has also been a youth basketball coach.

He is married to Lisa Heishman Carl and they have three children.



Charles Carl III, right, is sworn in as the newest circuit judge in the Twenty-Second Judicial Circuit (Hampshire, Hardy, and Pendleton Counties) by the senior judge in the circuit, Judge Charles E. Parsons, on August 16, 2013. Judge Carl's wife, Lisa, is holding the robe. Photo by Jim King, The Hampshire Review



Judge Michael Thornsbury

Mingo Circuit Judge Suspended, Resigns

Thirtieth Judicial Circuit (Mingo County) Judge Michael Thornsbury resigned October 2 and later the same day pleaded guilty to a federal conspiracy charge relating to an effort to protect the reputation of the late Mingo County Sheriff Eugene Crum. Judge Thornsbury also consented to disbarment in a letter to the state Office of Disciplinary Counsel. Sheriff Crum died in an April 2013 shooting.

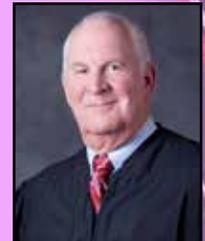
Judge Thornsbury was accused of participating in a scheme to protect Sheriff Crum from revelations the sheriff had purchased illegal drugs from a campaign sign-maker. In exchange for his guilty plea, federal prosecutors dismissed charges against Judge Thornsbury alleging he repeatedly tried to frame his former secretary's husband for false crimes to eliminate him as a romantic rival.

Following an extraordinary complaint filed by Administrative Director Steve Canterbury, the Supreme Court had suspended Judge Thornsbury without pay and suspended his law license on August 15, the day he was indicted by a federal grand jury. Chief Justice Brent D. Benjamin that day appointed Senior Status Judge John L. Cummings of Cabell County to serve in Mingo County during Judge Thornsbury's suspension. Senior Status Supreme Court Justice Thomas E. McHugh was appointed to assist as needed to ensure abuse and neglect, domestic violence, juvenile, and other emergency issues were handled without delay.

Both Judge Cummings and Justice McHugh began work in Mingo County on August 16 and served through the remainder of 2013.



Justice Thomas E. McHugh



Judge John L. Cummings

Putnam Family Court Judge Suspended, Resigns



Judge William M. Watkins, III

Twenty-Sixth Family Court Circuit (Putnam County) Judge William M. Watkins, III, sent a letter to Chief Justice Brent D. Benjamin informing him that he was taking medical leave on January 4, 2013. Chief Justice Benjamin immediately appointed Temporary Family Court Judge Deloris J. Nibert to fill the position. Judge Nibert had been previously appointed by then-Chief Justice Menis Ketchum on December 12, 2012, to fill in for Judge Watkins until December 31 while Judge Watkins was absent from his office.

The Supreme Court on March 26, 2013, unanimously suspended Judge Watkins until the end of his term on December 31, 2016. The Court also censured him on each of twenty-four violations of the Code of Judicial Conduct relating to findings that the judge was "repeatedly intemperate with litigants, showed disrespect for authority, and was unable to properly manage his office and staff," according to the Opinion. The Supreme Court also ordered Judge Watkins to pay the costs associated with the judicial investigation and prosecution.

Judge Watkins retired on December 1, 2013.



Judge Deloris J. Nibert



Justices of the Supreme Court of Appeals of West Virginia attend a reception for former Supreme Court Justice Franklin D. Cleckley on March 4 at the Erickson Alumni Center at West Virginia University. The reception was in honor of Justice Cleckley's retirement as a professor from West Virginia University College of Law. From left, Justice Allen H. Loughry II, Chief Justice Brent D. Benjamin, Justice Margaret Workman, former Justice Franklin Cleckley, Justice Robin Jean Davis, and Justice Menis Ketchum. *Photo by Jennifer Bundy*

Former Justice Cleckley Retires From WVU

All five Justices of the Supreme Court attended a reception March 4 in Morgantown honoring the retirement of former Justice Franklin Cleckley from the West Virginia University College of Law. Justice Cleckley, the Arthur B. Hodges Professor of Law, retired at the end of the 2013 spring semester. He taught at the school for forty-four years.

When he began at WVU in 1969, Justice Cleckley was WVU's first African American full professor. Then-Governor Gaston Caperton appointed him to the West Virginia Supreme Court of Appeals in 1994, when he became the first African American Justice in West Virginia. He chose not to run for election to the Court, and served until Justice Robin Jean Davis was elected to his seat in the November 1996 general election.

At the retirement reception, speakers, including Chief Justice Brent D. Benjamin, described Justice Cleckley as a one-man legal aid society because he helped many people who came to him because no one else would represent them. In 1990, he began the Franklin D. Cleckley Foundation, a non-profit designed to help former prisoners receive an education and find jobs.

A native of Huntington, Justice Cleckley earned a law degree from Indiana University in 1965 and then served in the U.S. Navy Judge Advocate General's Corps during the Vietnam War. After his military service he earned an L.L.M. degree at Harvard University and pursued post-graduate studies at Exeter University in England.

"Frank was a heck of a scholar," Justice Menis Ketchum told *The [Huntington] Herald-Dispatch*. "Everybody from Huntington ought to be proud. . . . He is actually the foremost scholar on the law in West Virginia, particularly on evidence, and rules and procedure."

Justice Cleckley is the author of *The Handbook on Evidence for West Virginia Lawyers* and *The Handbook on West Virginia Criminal Procedure*.

He has received numerous awards, including the West Virginia Human Rights Commission Civil Rights Award, the Thurgood Marshall Award from the West Virginia NAACP, the Civil Libertarian of the Year Award from the West Virginia Civil Liberties Union, and the Liberty Bell Award from the Supreme Court.

In April, Justice Cleckley received the 2013 Neil S. Bucklew Award for Social Justice, given by WVU's Division of Diversity, Equity and Inclusion in conjunction with the Social Justice Council. The Award of Merit was for "Outstanding lifetime of distinguished service to the legal profession and/or the judiciary in West Virginia."

In August he received the West Virginia Bar Association's Award of Merit for "Outstanding lifetime of distinguished service to the legal profession and/or the judiciary in West Virginia."



Magistrate Dallas Toler

Mingo Magistrate Charged, Resigns

Mingo County Magistrate Dallas Toler resigned October 9, the same day federal prosecutors filed an information charging him with one count of voter fraud. He was accused of knowingly registering a convicted felon to vote in 2012. Magistrate Toler pleaded guilty in December.

Magistrate Toler was appointed to the office on January 6, 2012, and subsequently was elected.

Chief Justice Brent D. Benjamin appointed Senior Status Magistrate Kim Blair to begin serving temporarily in the magistrate's position beginning on October 21.



Magistrate Kim Blair



Magistrate
Patty Verbage-Spence

Cabell Magistrate Resigns

Cabell County Magistrate Patty Verbage-Spence resigned May 31 due to health issues.

Magistrate Verbage-Spence had served as magistrate for about twelve years. She had been on an open-ended leave of absence since late February. She had cited heart issues when she retired in March 2008, but a surprise nomination victory weeks later re-energized her and led her back to office in January 2009. She was re-elected in 2012.

Chief Circuit Judge Paul Farrell appointed Rondall L. Baumgardner to fill the position. He started work on June 10 and will seek to retain the seat in the 2014 election. Magistrate Baumgardner served one term as magistrate following his election in 2008. He was defeated in a re-election bid in November 2012.

Magistrate Baumgardner attended Barboursville High School and Marshall University.



Magistrate
Rondall L. Baumgardner

Marion County Circuit Clerk Retires, Starts New Job



Rhonda Starn, left, took over as Marion County Circuit Clerk from Barbara Core, right, in August. A ceremony honoring Ms. Core's twenty-six years of service to the state was held August 28 in the Marion County Courthouse in Fairmont. *Photo by Jennifer Bundy*

Marion County Circuit Clerk Barbara Core retired on August 30. A ceremony honoring her twenty-six years of service and announcing her replacement, Rhonda Starn, was held on August 28 in the Division II Courtroom of the Marion County Courthouse in Fairmont.

Ms. Starn had been Chief Deputy Clerk for sixteen years and was sworn into office during the ceremony by Sixteenth Judicial Circuit (Marion County) Chief Judge David R. Janes. He also delivered the oath of office to new Chief Deputy Clerk Robin Tucker, who had been a deputy under Ms. Core.

"Barb is a titan in the circuit clerks' world, a remarkable visionary who embraced new technologies long before any other clerk's office. In a word, she's amazing," said Supreme Court Administrative Director Steve Canterbury.

Ms. Core began work September 1 as the liaison between the state judicial system and one of the private companies that will help West Virginia install electronic filing in circuit courts statewide. She is a consultant for On-Line Information Services, Inc., of Mobile, Alabama, which provides the electronic capability that allows electronic filing using Software Systems of Morgantown's case management system. Electronic filing was piloted in Marion County and thirteen other counties beginning in the fall of 2013.

Mr. Canterbury and Matt Arrowood, Director of Circuit Clerk Services in the Supreme Court Administrative Office, said Ms. Core is the perfect person for her new job because she has been a pioneer in electronic record-keeping in West Virginia. "There is nobody in the state who can do this better," Mr. Canterbury said.

Sixteenth Judicial Circuit (Marion County) Judge John Alois said, "The state is very blessed to have her in this new position."

"It has been a dream of mine for ten years to go paperless," Ms. Core said.



Caroline Stoker

Magistrate Clerks Change in Six Counties

Four long-serving magistrate court clerks retired in 2013 and another two resigned.

Caroline Stoker resigned September 30 after working thirty-seven years in Monongalia County. She was the first magistrate court clerk there, beginning in December 1976. She was involved in many statewide projects and issues involving magistrate courts, and helped develop and implement the original computer system used in magistrate courts. She resigned the clerk's position so she could work full-time in the Magistrate Court Division of the Administrative Office under Janie Moore, Director of Magistrate Services, where she is primarily involved in the development and application of the Unified Judicial Application computer system being implemented statewide. She also helps answer staff process and procedural questions, trouble shoots problems, and participates in training new staff members, among a myriad of other duties.



Cheryl A. Travinski

Cheryl A. Travinski took office October 29 as the new Monongalia County Magistrate Clerk. She worked for a private law firm until 1998 when she was hired by Chief Magistrate Alan Wheeler as his assistant. In 2004 she moved into a deputy clerk position, where she served until her appointment as clerk.



Carolyn S. Williams

Lewis County Magistrate Clerk Carolyn S. Williams retired September 30, 2013, after working for the court system for thirty-five years. She was the first magistrate clerk appointed in Lewis County and served on several of the early committees charged with helping develop staff procedures for the newly created magistrate courts. She was succeeded on October 1 by Edith Arlene Browning, who was a magistrate assistant in Lewis County for twenty-four years prior to her appointment as clerk.



Edith Arlene Browning

Wyoming County Magistrate Clerk Carol D. Garrett retired January 31 after working for the court system for twenty-three years. Her retirement plans include spending more time with her family. She was succeeded on February 1 by Tamela D. McCurdy, who served as a deputy clerk in Wyoming County for thirty-four years prior to her appointment as clerk.



Carol D. Garrett



Tamela D. McCurdy



Vickie D. Best

Marshall County Magistrate Clerk Vickie D. Best retired October 31 after working for the court system for fifteen years, spending thirteen years as a deputy clerk and two years as clerk. She is looking forward to spending more time with her five grandchildren. She was succeeded on November 1 by Christopher M. DeMuth, who spent five years working for the Department of Health and Human Resources before his appointment as a deputy clerk two years ago.



Christopher M. DeMuth

Braxton County Magistrate Clerk Carol J. Frame resigned to become secretary to Fourteenth Judicial Circuit (Braxton, Clay, Gilmer, and Webster Counties) Judge Richard A. Facemire, effective June 1. She was succeeded on June 16 by Timothy Hoover, who was a magistrate assistant for seven years and is very active in local community events, including the local theater group.



Carol J. Frame



Timothy Hoover

Hampshire County Magistrate Clerk Wanda L. Billmeyer retired May 31, after working for the court system for seven years. She is looking forward to spending more time with her children and grandchildren. She was succeeded on June 1 by Christie D. Davis, who spent five years as a deputy clerk in the Hampshire County Circuit Clerk's office before her appointment as clerk.



Wanda L. Billmeyer



Christie D. Davis



Barbara Allen

Former Administrative Director, Law Clerk Barbara Allen Retires

Former Supreme Court Administrative Director Barbara Allen, who returned to the Court in 2013 to clerk for Justice Margaret L. Workman, retired at the end of the year to move to Pittsburgh, Pennsylvania.

"In my opinion, Barbara Allen is the best Administrative Director the Court ever had," said current Administrative Director Steve Canterbury. "Alas, her service was cut much too short. It was a special delight she chose to come back to the Court to work with Justice Workman to cap her extraordinary services to the state."

Ms. Allen was Administrative Director from February 2001 to January 2003. Except for her time at the Supreme Court, from 1997 through 2012 she was a managing deputy attorney general and supervised the attorney general's appellate, civil rights, and tax divisions. From 1979 to 1997 she practiced law in three firms: Preiser & Wilson, Masters & Taylor, and Allen & Allen. During that time she tried at least 150 cases to verdict. Most were criminal cases, although for about a decade she held the record for largest medical malpractice verdict, \$15.25 million in *Robinson v. Biswas*. She was lead counsel in the trial in the late 1980s.

She has a 1968 bachelor's degree from Temple University and a 1978 law degree from West Virginia University College of Law, where she was Order of the Coif and the first woman to win the Baker Cup. After her graduation, she was a law clerk to the Honorable K.K. Hall, United States Court of Appeals for the Fourth Circuit, for two years before going into private practice.

"Working for Justice Workman was really a dream job, especially since I worked with the 'Dream Team': Dianna Canfield, Susan Scott, Teresa Kleeh, and Jeanne Stevenson," Ms. Allen said. "My only regret is that I waited until the end of my career to find the best job of my career! I loved every minute I spent as a part of the Court family."



Jennifer Singletary

Jennifer Singletary takes over as Deputy Director

Jennifer Singletary took over as Deputy Administrative Director of the Courts of West Virginia in late 2013, succeeding Kathleen Gross. She had been Special Projects Director for the Supreme Court since 2006, after serving as Public Information Officer beginning in 2005.

As special projects counsel, she oversaw several Supreme Court projects including community corrections initiatives, elder law issues, and language access in the courts.

Ms. Singletary grew up in Crooked Creek in the Scott Depot area of Putnam County. She graduated from Winfield High School in 1990 and earned an undergraduate degree from what was then West Virginia State College. From 1995 to 1996, she worked at the Putnam County Library as the Children's Librarian in charge of story hour. She also worked as a camp counselor and assistant director of the YMCA camps.

She was a legal assistant at the Kanawha County Public Defender's Office in the late 1990s. Supervisors there inspired her to go to law school. She got a master's degree in humanities from Marshall University while simultaneously attending law school at the University of Cincinnati's College of Law from 1998 to 2001. While in law school, she became an officer in the Law Student Diversity Association, served as a mentor to visiting minority students, participated in the National Lawyers Guild, and was a charter member of the nation's first chapter of the International Alliance of Holistic Lawyers.

Ms. Singletary was named the 2011 West Virginia Young Lawyer of the Year, an award given annually by the Young Lawyers Section of the West Virginia State Bar to an attorney who has brought honor and distinction to the legal profession through a commitment to community service and the citizens of West Virginia.



Kathleen Gross

Deputy Director Kathleen Gross Retires

Supreme Court Deputy Director Kathleen Gross's work for the court system was celebrated with a retirement lunch September 26, 2013, attended by her family, friends, and dozens of court employees.

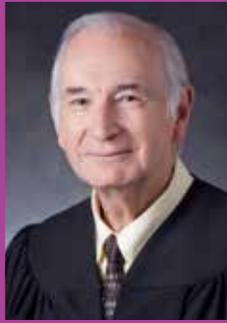
Ms. Gross had been deputy administrative director since 2005. She previously served as deputy director of judicial education for five years, deputy counsel for three years, and was a *per curiam* law clerk for nine years, a time when she worked closely with six justices.

She received a bachelor's degree in 1967 from Temple University and a master's degree in 1969 from State University of New York College at Buffalo. She was a high school teacher of history, social studies, English, and math from 1967 to 1980 in New York, Pennsylvania, and Georgia. From 1981 to 1983 she was director of Catholic Community Services in the Western Region of West Virginia.

In 1983 she decided to pursue a career in the law, and in 1986 she graduated with honors from The Ohio State University College of Law. While in law school, she returned home to Huntington every weekend to be with her daughter and husband, except for the weekends she traveled with the moot court team. Also while in law school, she was a summer associate for the Appalachian Research and Defense Fund and Jenkins, Feinstemaker, Kreiger, Kayes and Farrell, and was a research assistant to Law Professor Nancy Rogers. Upon graduation she worked at Jackson and Kelly for two years before going to work for the Supreme Court.

"Kathleen is a mentor and a friend, and only people who have had the privilege of having a deputy could fully appreciate the unadulterated crap I asked her to deal with. She did it all with her immutable expertise and without a complaint or protest," said Administrative Director Steve Canterbury.

Awards



Judge Ronald E. Wilson

Judge Wilson named "Judge of the Year"

First Judicial Circuit (Brooke, Hancock, and Ohio Counties) Judge Ronald E. Wilson was named the Judge of the Year by the West Virginia Association for Justice and received the award on June 6 at the group's annual conference in Charleston.

"For more than thirty years, Judge Wilson has fairly and judiciously served as a judge for West Virginia's First Circuit Court. His service has garnered the respect of West Virginia attorneys, his peers on the court, and the citizens who have stood in his courtroom," said Association President Scott Blass.

"I am pleased to be honored by the West Virginia Association for Justice, which was founded by the inimitable, late Stanley Preiser. He was the best darn lawyer in West Virginia and one of the best in the United States. I was impressed by Stanley and his determination to seek justice for all he touched," Judge Wilson said. "The association fights for the 'little guy.' It also has the goal of training good lawyers to protect victimized people who need the civil justice system to protect their rights. When I started to practice law, it was the organization's continuing legal education programs that provided my real legal education.

"The jury system is at the heart of the many freedoms that exist in this country. I am pleased with the role that I have played in the civil justice system. I thank Stanley Preiser for inspiring me, and I thank the West Virginia Association for Justice for this honor and the organization's continued commitment to the jury system, and to the training of good lawyers who make sure that the word 'justice' has the same meaning for every West Virginian, both the poor and the rich," Judge Wilson said.

Judge Wilson was appointed to the bench in 1981 by then-Governor Jay Rockefeller. He was elected in 1982, 1984, 1992, 2000, and 2008. He has led the West Virginia Judicial Association and committees responsible for revising the West Virginia Judicial canons and updating the West Virginia Rules of Evidence. In 2004, he was named a West Virginia Bar Foundation Fellow. Judge Wilson has been a member of the West Virginia Mass Litigation Panel since 2005 and in 2013 served as a visiting faculty member at Harvard Medical School, teaching a course on "Current Concepts and Controversies in Asbestos-Related Disease." He is chairman of the Judicial Investigation Commission.

He has a bachelor's degree from American University and a law degree from the University of Maryland.



Judge Gary Johnson

Judge, Senator receive awards for work with children

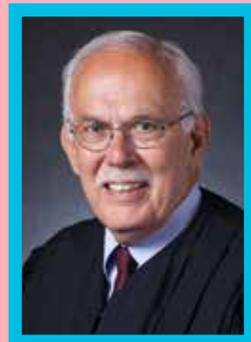
Twenty-Eighth Judicial Circuit (Nicholas County) Judge Gary Johnson and state Sen. Donald Cookman, a retired judge in the Twenty-Second Judicial Circuit (Hardy, Hampshire, and Pendleton Counties), received awards on October 2 from the West Virginia Child Care Association for their sustained, forceful leadership for the protection of children. Judge Johnson and Senator Cookman were given the awards as a surprise in front of their families and peers at the "Superheroes Unite for West Virginia's Kids at Risk" event at the Blessed John XXIII Pastoral Center in Charleston.

Judge Johnson received the Steward of Unity Award, an honor the association gives only every few years, for his unique ability to bring people together to improve the lives of children. Judge Johnson is the longtime chairman of the Court Improvement Program and participates in local and statewide initiatives to improve children's safety, permanency, education, and overall well-being. He previously has received an *Angel in Adoption*™ Award from the Congressional

Coalition on Adoption Policy Institute, an Extra Mile Award from the West Virginia Children's Justice Task Force, a Commissioner's Award from the Administration for Children and Families, and other accolades.

The West Virginia Child Care Association gave Senator Cookman the Champion of Children Award for his outstanding work as a judge and state senator to improve the lives of children. Kathy Szafran, President and CEO of Crittenton Services in Wheeling, presented the award to Senator Cookman.

The WVCCA, established in 1979, represents companies throughout West Virginia that operate behavioral health and welfare programs for children who have experienced abuse, neglect, emotional and behavior disabilities, substance abuse, and/or delinquency. WVCCA advocates for children and families by sharing member knowledge and resources, providing quality training, embracing partnerships, and influencing public policy.



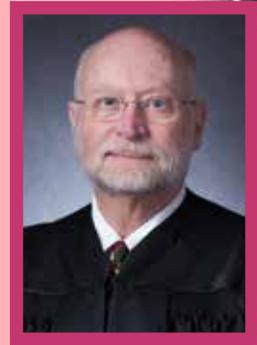
Senator and former Judge Donald Cookman

Putnam County program named after Judge Spaulding

The Putnam County Youth Reporting Center in Winfield was named the O.C. Spaulding Training Center in a ceremony on July 18, which Judge Spaulding attended.

The training program, housed within the youth day report center, provides weekday education for students who have been expelled from their own schools. To receive services at the training center, the students must be adjudicated delinquent and ordered there by a judge.

Through a memorandum of understanding between the Putnam County Board of Education and the state Division of Juvenile Services, the school board provides teachers and meals. DJS provides space, computers, security, and group therapy for substance abuse, life skills, communication skills, and anger management.



Judge O.C. Spaulding

Judges Alsop and Clawges, Clerk Perry named Bar Foundation Fellows

Two circuit judges and Supreme Court Clerk Rory Perry II were among twenty-two new West Virginia Bar Foundation Fellows honored at a private dinner on April 25 at the Charleston Marriott Town Center. The West Virginia Bar Foundation, the philanthropic organization of the state legal profession, each year chooses lawyers and judges to become fellows whose "professional, public and private careers have demonstrated outstanding dedication to the welfare of their communities and honorable service to the legal profession."

Fourteenth Judicial Circuit (Braxton, Clay, Gilmer, and Webster Counties) Judge Jack Alsop and Seventeenth Judicial Circuit (Monongalia County) Judge Russell M. Clawges, Jr., were named fellows at the dinner.

Judge Alsop, a past president of the West Virginia Judicial Association, serves on the Legislative, Re-Alignment, Pensions, and Special Needs Committees of the Judicial Association. He is a frequent speaker at continuing education seminars and is very active in the Supreme Court's Robes to Schools program, in which he reads to school children and tells them about the judicial system. Judge Alsop is Chairman of the Supreme Court Compliance Committee on Prisons and Jails. He was Chairman of the West Virginia Regional Jail and Correctional Facilities Authority under Governor Gaston Caperton from 1989 until his appointment to the bench in 1996.

Judge Alsop was re-elected in 1998, 2000, and 2008. He previously served as Webster County Prosecuting Attorney from 1985 to 1989 and was a sole practitioner in Webster Springs from 1977 to 1996. He is Co-Director of the Webster County Woodchopping Festival.

Judge Alsop has a 1973 bachelor's degree from West Virginia University and a 1977 law degree from West Virginia University College of Law. He and his wife, Linda, live in Webster Springs. They have three children and five grandchildren.

Judge Clawges was appointed to the bench by then-Governor Gaston Caperton on January 10, 1997. He was elected in 1998 and re-elected in 2000 and 2008. He served as Chief Judge from 2000 through 2011. Judge Clawges is President-Elect of the West Virginia Judicial Association and has led its Judicial Education Committee and Law Clerk Education Committee. He is an ASTAR Science and Technology Fellow and a frequent presenter at continuing education programs.

Judge Clawges received a bachelor's degree in mathematics from West Virginia University in 1971 and a law degree from West Virginia University College of Law in 1974, graduating Order of the Coif. He served four years in the JAG Department of the United States Air Force before practicing law at the firm of Furbee, Amos, Webb & Critchfield in Morgantown, where he was a partner.

Judge Clawges was an adjunct lecturer in trial advocacy at the West Virginia University College of Law for several years and is an adjunct lecturer in the Forensic and Investigative Sciences Program at West Virginia University and in the Trial Advocacy Program at the West Virginia University College of Law.

Clerk Perry is the fourteenth person to serve as Clerk of the Supreme Court since West Virginia was founded in 1863. He was named Clerk in July 2000.

He was the 2013 President of the National Conference of Appellate Court Clerks, made up of clerks in state and federal appellate courts across the country, including the Supreme Court of the United States. He has served as chairman of the NCACC's website committee and previously served for two years on the executive committee. He also was asked to represent the NCACC on a standards



Judge Jack Alsop



Judge Russell M. Clawges, Jr.



Supreme Court Clerk
Rory Perry II

development team for case management systems; he served as program chairman in 2008 for the annual education meeting in Pittsburgh, and he has spoken twice at the National Center for State Courts International Court Technology Conference.

When he was hired as Deputy Clerk late in 1998, his primary task in West Virginia was to update the Court's case management system. By January 2000, he had implemented a new system. In September 2001, West Virginia became one of only six Supreme Courts in the country to webcast oral arguments live on the Internet. In 2010, in his tenth year as Clerk, he helped the Court revise its appellate court rules, which had not been comprehensively changed in more than thirty years.

Clerk Perry also is involved in the West Virginia Youth in Government Program and the West Virginia Civics Literacy Council. During his time as Clerk, he has spoken to hundreds of Capitol visitors about the history of the Court and the architecture of the court chamber. He is also a frequent speaker at continuing legal education seminars throughout the state.

He is a native of Huntington and also grew up in South Carolina and Georgia. He moved back to West Virginia in the 1980s and attended Marshall University, where he earned an English creative writing degree. He graduated from West Virginia University College of Law in 1994. Clerk Perry is married and has an adult son.



Nikki Tennis

Nikki Tennis honored as an *Angel in Adoption*[™]

Nikki Tennis, Director of the Division of Children's Services in the Supreme Court Administrative Office, was named a 2013 *Angel in Adoption*[™] for her outstanding advocacy of adoption and foster care issues. She was nominated by U.S. Senator Jay Rockefeller of West Virginia.

The Congressional Coalition on Adoption Institute (CCAI), which orchestrates the *Angels in Adoption*[™] program, gave her the award at a ceremony on October 8 in Washington, D.C.

"In 2005, I worked with Senator Mike DeWine of Ohio to author the Working to Enhance Courts for At-Risk and Endangered Kids Act (WE CARE Kids), which was incorporated into the Deficit Reduction Act of 2006 to become law," Senator Rockefeller said in his nomination letter. "This law provided federal funding to help courts improve the data and information system for children and train judges and court personnel serving abused and neglected children. In West Virginia, Nikki oversaw our state's Court Improvement Program. These efforts helped create, identify, and promote initiatives that make the Court system more responsible and efficient in achieving safety, permanence, well-being, due process, and timely outcomes for children and families in the child welfare system."

The *Angels in Adoption*[™] program is CCAI's signature public awareness campaign and provides an opportunity for all members of the U.S. Congress to honor the good work of their constituents who have enriched the lives of foster children and orphans in the United States and abroad. Each year, more than 140 Angels are honored through the *Angels in Adoption*[™] program.

The *Angels in Adoption*[™] program was established in 1999.



Kim Fields

Kim Fields receives Clerk of the Year award

Mass Litigation Manager Kim Fields was named the Clerk of the Year by the West Virginia Association for Justice and received the award at its annual conference on June 6 in Charleston.

"Although not a clerk in a traditional sense, Kim Fields has done extraordinary work in her role as West Virginia's Mass Litigation Manager. She coordinates the mass litigation process, managing the numerous claims, files, parties, and attorneys. Over the years since her appointment, the panel has successfully handled claims involving everything from asbestos litigation to mass damages from floods," Association President-Elect Anthony Majestro said when presenting the award. "Because of her oversight and diligence, these cases are handled efficiently in West Virginia's court system, and our state is one of the national leaders in how these cases are managed."

Ms. Fields said she was "flattered and honored" by the award. "The award recognizes my work on behalf of the West Virginia legal community. That work would not be possible without the commitment and continuing support of the West Virginia Supreme Court of Appeals and the members of the Mass Litigation Panel. Because of their vision, dedication, and hard work, West Virginia is on the cutting edge in managing mass litigation."

She became the first Mass Litigation Manager in 2008. In that role, she assists the seven circuit court judges assigned to the Mass Litigation Panel with centralization and management of all mass litigation cases pending in West Virginia.

She previously was an attorney in private practice for nineteen years, with a primary focus in complex litigation. She has a bachelor's degree from Marshall University and a law degree from the University of North Carolina-Chapel Hill.

Justus Loughry, campaign win awards for role commercials

The family of Supreme Court Justice Allen H. Loughry II has won several awards for television commercials produced during the 2012 Supreme Court campaign.

Seven-year-old Justus Loughry won a Telly Award for his role in "The Real Justus Loughry." His father's campaign also took home a separate Telly Award for all of its commercials, which were produced by George Manahan of The Manahan Group in Charleston.

Justus also won a Pollie Award from the American Association of Political Consultants for best use of a television ad.

"He did a wonderful job, and Kelly and I were very proud of him," Justice Loughry said. "I've been in office since January of 2013 and not a single week passes in which people haven't talked to me about my son and his role in the commercials."

Kelly feels the television spots really resonated with people. In fact, a woman once stopped her to point out that her daughter would run into the room every time the girl heard Justus on TV. Another time, a fellow patron at a gas station recognized Justus from the commercials, despite the fact that Justus was wearing multiple layers of clothing and a hooded winter coat because the family had just come from a WVU football game.

"Kelly and I are so proud of Justus. He is a very fun and talented little boy," Justice Loughry said.

What was Justus' favorite part about starring in the commercials? It was the opportunity to see behind the scenes how ads are actually produced. He also said it was fun to see himself on TV.

"It was a lot of fun making the commercials with Mom and Dad," Justus said. "I like doing stuff as a family, and I enjoyed learning how television commercials were really made."

Justus isn't just a handsome face. He had to overcome some stiff competition on his way to winning these honors. The Telly Awards was founded in 1979, recognizing online/television commercials and film productions. For his Telly Award, Justus was chosen from among 12,000 entries.

For the Pollie, Justus won the bronze award under the category "Shoulda, Woulda, Coulda" for Best Use of a Television Ad. "He entered into a category more difficult than most," his father said. "Generally, you get an award for a political commercial for that specific year. Justus, though, was in a category where anyone could enter commercials from any decade."

"It's so great to be recognized for commercials that are positive," said Kelly, a Morgan County native. She and Justice Loughry, who grew up in Tucker County, believe the ads were successful in part because they were filmed in their home—a modest West

Virginia residence occupied by an average West Virginia family with, as Justus said in one ad, "no skeletons."

Despite an obvious and very natural knack for acting, Justus has not expressed an interest in pursuing a future in front of the camera. Instead, this talented and imaginative 7-year-old's ambition is to work for Lego as "an engineer designing Lego sets." His back-up plan if that doesn't work out? To be a Justice on the Supreme Court like his dad. After all, every kid needs something to fall back on.



Justus Loughry poses with the two Telly Awards his family won for Justice Allen H. Loughry's 2012 Supreme Court campaign commercials. Photo by Andrea Lannom, The State Journal



Justice Allen H. Loughry II, Justus Loughry, and Kelly Loughry, in a photo taken from a summer 2012 Supreme Court campaign commercial filmed in their Charleston home. Photo courtesy of Loughry family.

Court Association Officers



2013 Judicial Association Officers

President: Derek C. Swope,
Ninth Judicial Circuit (Mercer County)

Vice-President: Judge Russell M. Clawges, Jr.,
Seventeenth Judicial Circuit
(Monongalia County)

Secretary: Judge Thomas C. Evans,
Fifth Judicial Circuit
(Mason, Jackson, Roane, and Calhoun
Counties)

Treasurer: Christopher C. Wilkes,
Twenty-Third Judicial Circuit
(Morgan, Berkeley and Jefferson Counties)



2013 Magistrate Association Officers

President: Riley Barb (Tucker County)

Secretary: Carol L. Wolfe (Gilmer County)

Treasurer: Julie M. Yeager (Kanawha County)

Vice-President First District:
Patricia L. Murphy (Ohio County)

Vice-President Second District:
Gail C. Boober (Jefferson County)

Vice-President Third District:
John D. Morton, Jr. (Nicholas County)

District Representatives

First District:
Michael K. Griffin (Tyler County)
William S. Hicks (Hancock County)
Hank E. Middlemas (Marion County)

Second District:
Jason D. Bennett (Roane County)
George "Mike" Riggleman (Randolph County)
Joseph L. Shelton (Kanawha County)

Third District:
Jack W. "Bill" Jeffries, Jr. (Summers County)
Kevin L. Miller (Monroe County)
Mona Dell Snodgrass (Lincoln County)



2013 Association of Probation Officers

President: Mark Hofe (Berkeley County)

Vice-President: John Lantz (Wetzel County)

Secretary: Vicki Britner (Braxton County)

Treasurer: Erika Elswick (Kanawha County)



2013 Family Court Association Officers

President: Ken Ballard,
Eleventh Family Court Circuit (Kanawha County)

President-Elect: Amanda See,
Twenty-Fifth Family Court Circuit
(Grant, Hardy and Pendleton Counties)

Secretary: Lisa Clark,
Twelfth Family Court Circuit
(McDowell and Mercer Counties)

Treasurer: Patricia Tolle Hill,
Twentieth Family Court Circuit
(Monongalia and Preston Counties)

Executive Committee:

Ken Ballard, Eleventh Family Court Circuit
(Kanawha County)

Lisa Clark, Twelfth Judicial Circuit
(McDowell and Mercer Counties)

Patricia Tolle Hill, Twentieth Family Court Circuit
(Monongalia and Preston Counties)

Beth Longo, Twenty-First Family Court Circuit
(Barbour and Taylor Counties)

Louise G. Staton, Thirteenth Family Court Circuit
(Raleigh, Summers, and Wyoming Counties)

Scott E. Elswick, Tenth Family Court Circuit
(Boone and Logan Counties)

David P. Greenberg, Twenty-Fourth Family Court
Circuit (Berkeley and Jefferson Counties)

Sharon M. Mullens, Eleventh Family Court Circuit
(Kanawha County)



2013 Court Reporters Association Officers

President: Sharon L. Vincent (Monongalia County)

Immediate Past-President: Terri R. Cheslock
(Marion County)

President-Elect: Dwayne Price (Kanawha County)

Vice President: Shelley Kelley (Boone County)

Secretary: Veronica Bird (Mercer County)

Treasurer: Twyla Donathan (Kanawha County)

2013 Court Conferences

January 7-11

New Magistrate Staff Conference,
Charleston

January 28-29

Court Security Conference,
Charleston¹

February 1

New Leave Record-Keepers
Teleconference

February 4

Abuse and Neglect Database
Training I, Charleston²

February 5

Abuse and Neglect Database
Training II, Charleston²

February 8

Experienced Leave Record-Keepers
Teleconference

February 12

Abuse and Neglect Database
Make-Up Training, Charleston²

February 21-22

State Fatality Review Board
Meeting, Charleston

February 26

Probation Database Training,
Beckley

March 11-14

New Magistrate Training II,
Charleston

April 23-25

Drug Court Conference, Charleston

April 29-30

Spring Family Court Judges
Education Conference, Charleston

May 7-10

Spring Circuit Court Judges
Education Conference, Bridgeport

June 3-5

Mental Hygiene Conference,
Charleston

June 14

Probation Database Training,
Flatwoods

June 24-25

Circuit Judge Assistant Workload
Assessment Database Training,
Morgantown

June 26-27

Circuit Judge Assistant Workload
Assessment Database Training,
Charleston

July 9-10

Family Court Staff Workload
Assessment Database
Training, Charleston

July 9-11

Court Improvement Board Cross-
Training I, Martinsburg²

July 15-17

Court Improvement Board Cross-
Training II, Charleston²

August 12-14

Circuit Clerks Conference,
Wheeling

August 20-21

New Circuit Court Law Clerks
Training, Charleston

August 21-22

All Circuit Court Law Clerks
Training, Charleston

August 26-27

Adult Treatment Court Training,
Glade Springs

August 30

Character Committee Training,
Charleston

September 10-12

Magistrates' Education Conference I,
Charleston

September 18-20

Magistrates' Education Conference II,
Charleston

October 1-3

Fall Family Court Judges Education
Conference, Roanoke

October 8-11

Fall Circuit Court Judges Education
Conference, Charleston

October 8-10

Circuit Court Reporters Conference,
Charleston

October 8-10

Court Bailiffs Conference,
Charleston¹

October 21-25

Probation Officers Education
Conference, Charleston

¹Funded by the West Virginia Division of Justice and Community Services, Court Security Grant Program 12-CS-15

²Funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth, and Families; State Court Improvement Data Program Grant 1201WVSCID

2013 Annual Report Profile: Edythe Nash Gaiser



Deputy Supreme Court Clerk Edythe Nash Gaiser listens to arguments in the Supreme Court Chamber in Charleston. Below, she works on court documents in her office. Photos by Jennifer Bundy

August 2013 marked ten years for Edythe (Eydie) Nash Gaiser as the Deputy Clerk for the Supreme Court of Appeals of West Virginia.

Born in Pittsburgh, Pennsylvania, Eydie moved from there at an early age. "I feel as though I am from West Virginia because I attended high school at Mount de Chantal Visitation Academy in Wheeling—I grew up here," she said. She went to college at Wheeling Jesuit University, attending night school year-round for four years while working full-time at a bank in the trust department.

"There was a lawyer at the bank who talked to me about possibly going to law school. I never considered that option, but at her urging I took the LSAT, and soon enough I found myself back in Pittsburgh at Duquesne University School of Law," said Eydie.

After law school Eydie worked in private practice from 1988 through 1999. "Once my sons were born, I only worked 75 percent of full-time at the law firm. It was great that I was able to continue to practice, yet spend time with my two sons, Ryan and Jayson. It does take time. I know it's more so the quality than the quantity, but it does take time to be a good mom.

"My law degree has helped me be able to provide not only financially for my sons, but also to assist them with their analytical thought processing. I am proud of the young men they have become."

In 1999 Eydie landed in Tallahassee, Florida, and worked at the Florida Supreme Court Office of State Court Administration in judicial education. It was there that she learned the principles of adult education she has continued to use today.

Perhaps it was the 2000 presidential election case and all of the changes it brought upon the Florida court, but soon Eydie had fleeting thoughts of returning to West Virginia. She came across an opening at the West Virginia Supreme Court of Appeals; at the time she wasn't really looking to move back to West Virginia immediately, but something about the ad intrigued her.

"So I sent my résumé, and Rory Perry, Clerk of the West Virginia Supreme Court, called me. I flew up for an interview; we worked it out; and I moved back here. I never looked back," she said.

That was August 2003.



"My favorite job as a lawyer is the job I am doing right now," she said. "I always say by the time the cases get here, the people involved have been living with them for years. They may be brand new to us, but they aren't to the people who bring the cases here to the Supreme Court, and we always need to remember the people behind every single case."

"I am very lucky to have such a dedicated deputy, because Eydie is a key reason why the Clerk's Office and the Court run so smoothly," said Clerk Perry. "She is an uncompromising professional, a delight to work with, and the kind of colleague who is always able to provide a necessary perspective."

There have been monumental changes at the Court in ten years. Revisions to the rules of appellate procedure that create an appeal by right process were adopted in 2010. Having worked through the drafting of the rules, Eydie finds it rewarding to assist those navigating the rules of procedure to present appeals to the Court properly.

"I was honored to have been a part of it," said Eydie.

More recently, she became deeply involved with more concrete changes, literally, with renovations to the offices within the Office of the Clerk. "There was so much going on during the renovation, but it was exciting," she said, "I believe it was the distraction I needed at the time with the bittersweet experience of both of my boys leaving for college. I'm so proud of them, of us. I knew they were ready, but I wanted to make sure they always knew I was there for them, no matter how hectic the day at the Court may have been."

Administrative Director Steve Canterbury said, "Every day Eydie deals with complex issues of law that are presented by often rather emotional members of the Bar and the general public. She takes it all in stride, evenly, fully, and professionally, answering every query. Her administrative skills are second to none. And the office where she does most of the personnel management is simply an example of excellence. We are all really lucky to have Eydie work at the Court."

During the past few years Eydie has been actively involved with the National Conference of Appellate Court Clerks (NCACC). In addition to attending the national conference each year, she has served on several of its committees. The incoming president of the NCACC for 2015, John Tarlton Olivier, Clerk of the Supreme Court of Louisiana, tagged Eydie to be the program chairwoman for the 2015 conference to be held in Snowbird, Utah.

"What an honor for John to ask me! I will be chairing the committee that plans the week-long education conference. Utilizing the adult education principles I learned at the Florida Supreme Court will be helpful, and I plan to reach out to some of my friends in Florida to assist. It will be a great opportunity to catch up with them," said Eydie.

In 2013 Eydie was elected to the executive committee of the NCACC. "I am always amazed at the direction life leads me—just when I was being asked what I was going to do once the boys were away, opportunities presented themselves."



Top photo:
The "Wicked Witch of the West" or better known as an arum plant, in Eydie's garden. Photo by Edythe Nash Gaiser

Bottom photo:
In Eydie's garden, white impatiens in ruby slippers represent Dorothy's white socks. A blue and white hanging basket of flowers on a hook above it looks like Dorothy's dress. Photo by Edythe Nash Gaiser

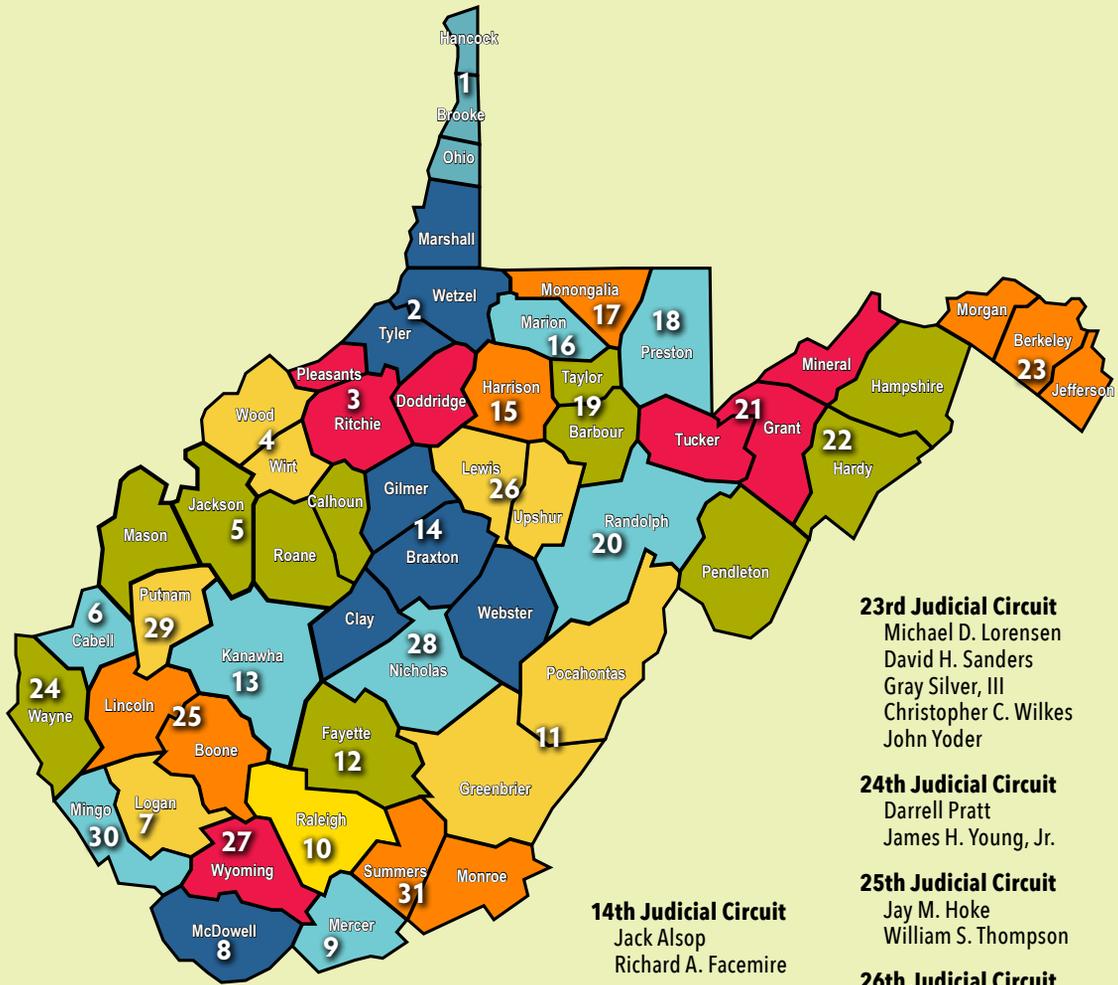
When Eydie isn't working, she practices yoga or works in her garden. Planting white impatiens in a pair of ruby slippers on a whim led to her inspiration to create a Wizard of Oz-themed garden. "Every year I find something to add to it," she said, "dusty millers for the Tin Man, black-eyed Susans in a semi-circle to represent the lion's mane, an arum plant resembling the Wicked Witch, and a dogwood representing Toto, of course."

The success of that venture has led Eydie to try her hand at an Alice in Wonderland garden space. This area will be sure to include certain items she is beginning to collect - the Rabbit's pocket watch, the Madhatter's hat, and perhaps an old apothecary's bottle that reads "DRINK THIS."

Thinking back on the bends and curves in the road that she has traveled to bring her to this point in her life, Eydie can hardly believe what a journey it has been. From her first job in high school selling shoes to bearing the mantle of Deputy Clerk, she might never have thought it would have led her back to West Virginia.

But as Eydie is quick to point out, "There's no place like home."

Circuit Court Judges



1st Judicial Circuit
 Martin J. Gaughan
 James P. Mazzone
 David J. Sims
 Ronald E. Wilson

2nd Judicial Circuit
 David W. Hummel, Jr.
 Mark A. Karl

3rd Judicial Circuit
 Timothy Sweeney

4th Judicial Circuit
 J. D. Beane
 Jeffrey B. Reed
 Robert A. Waters

5th Judicial Circuit
 Thomas C. Evans, III
 David W. Nibert

6th Judicial Circuit
 Paul T. Farrell
 Alfred E. Ferguson
 F. Jane Husted
 David M. Pancake

7th Judicial Circuit
 Eric H. O'Briant
 Roger L. Perry

8th Judicial Circuit
 Rudolph J. Murensky, II
 Booker T. Stephens

9th Judicial Circuit
 Omar J. Aboulhosn
 William J. Sadler
 Derek C. Swope

10th Judicial Circuit
 Robert A. Burnside, Jr.
 John A. Hutchison
 H. L. Kirkpatrick III

11th Judicial Circuit
 Joseph C. Pomponio, Jr.
 James J. Rowe

12th Judicial Circuit
 Paul M. Blake, Jr.
 John W. Hatcher, Jr.

13th Judicial Circuit
 Jennifer Bailey
 Louis H. "Duke" Bloom
 Tod J. Kaufman
 Charles E. King
 James C. Stucky
 Carrie L. Webster
 Paul Zakaib, Jr.

14th Judicial Circuit
 Jack Alsop
 Richard A. Facemire

15th Judicial Circuit
 Thomas A. Bedell
 J. Lewis Marks, Jr.
 James A. Matish

16th Judicial Circuit
 Michael J. Aloï
 David R. Janes

17th Judicial Circuit
 Russell M. Clawges, Jr.
 Phillip D. Gaujot
 Susan B. Tucker

18th Judicial Circuit
 Lawrance S. Miller, Jr.

19th Judicial Circuit
 Alan D. Moats

20th Judicial Circuit
 Jaymie Godwin Wilfong

21st Judicial Circuit
 Philip B. Jordan
 Lynn A. Nelson

22nd Judicial Circuit
 Donald H. Cookman
(Retired January 23, 2013)
 H. Charles Carl, III
(Took office August 16, 2013)
 Charles E. Parsons

23rd Judicial Circuit
 Michael D. Lorenson
 David H. Sanders
 Gray Silver, III
 Christopher C. Wilkes
 John Yoder

24th Judicial Circuit
 Darrell Pratt
 James H. Young, Jr.

25th Judicial Circuit
 Jay M. Hoke
 William S. Thompson

26th Judicial Circuit
 Thomas H. Keadle
(Retired January 31, 2013)
 Kurt W. Hall
(Took office August 9, 2013)

27th Judicial Circuit
 Warren R. McGraw

28th Judicial Circuit
 Gary L. Johnson

29th Judicial Circuit
 Joseph K. Reeder
 Phillip M. Stowers

30th Judicial Circuit
 Michael Thornsbury
(Resigned August 15, 2013)
 Senior Status Judge
 John L. Cummings
 and Senior Status Justice
 Thomas E. McHugh
*(Serving temporarily beginning
 August 15, 2013)*

31st Judicial Circuit
 Robert A. Irons

Circuit Courts

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 each. 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.

Each circuit judge has a law clerk, a secretary, and a court reporter.

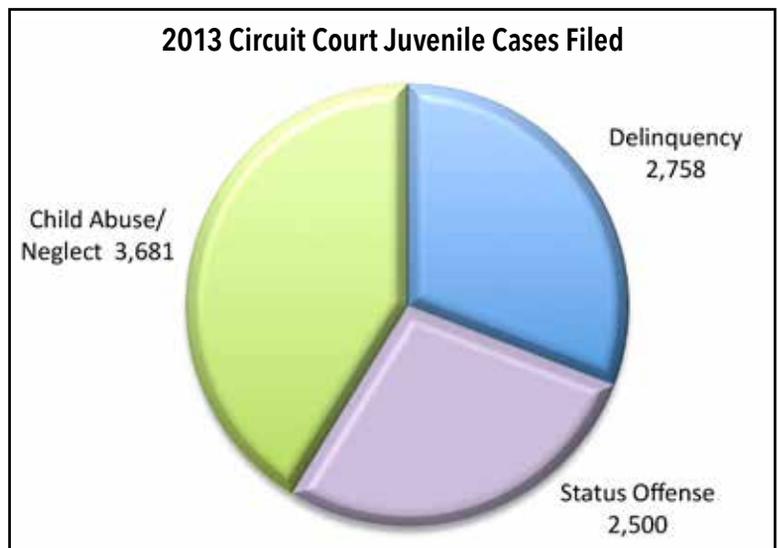
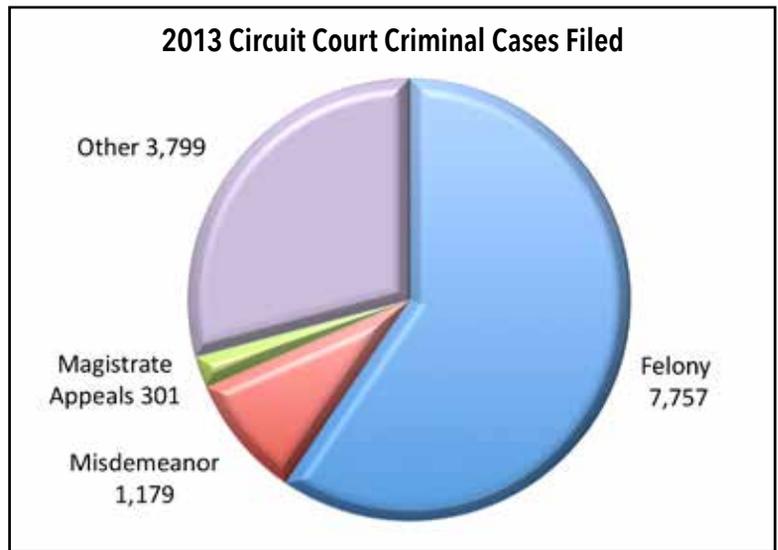
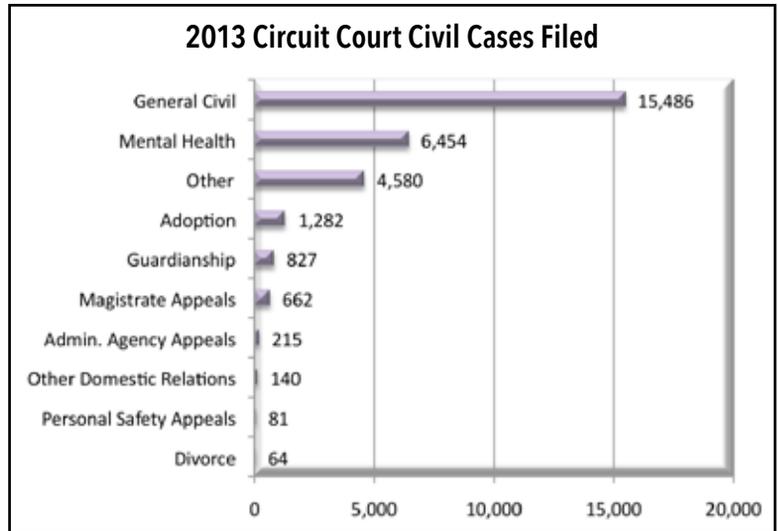
The circuit courts are trial courts of record. They have jurisdiction over all civil cases in which more than \$2,500 is at issue, with limited exceptions; all felonies and misdemeanors, and proceedings in *habeas corpus*, *mandamus*, *quo warranto certiorari*, and prohibition.

Circuit courts receive appeals from magistrate courts, municipal courts, and all administrative agencies except from the Division of Workers' Compensation. Workers' compensation appeals go directly to the Supreme Court of Appeals.

Circuit courts also can hear appeals of family court rulings, but both parties can agree to appeal domestic relations decisions directly to the Supreme Court. Additionally, circuit judges receive recommended orders from judicial officers who hear mental hygiene matters.

In 2013, a total of 51,766 cases were filed in West Virginia's circuit courts. Of that, 29,791 civil case filings, or about 57.55 percent, were civil cases; 13,036 criminal filings, or about 25.18 percent, were criminal cases; and 8,939 juvenile filings, or about 17.27 percent, were juvenile matters.

In addition to their regular caseloads, circuit judges also serve on the Mass Litigation Panel, the Business Court Division, the Court Improvement Program Board, the Compliance Committee on Prisons and Jails, and several other special committees of the Supreme Court. Circuit judges preside over numerous juvenile and adult treatment courts throughout the state, and dozens of judges are active in civic education programs in public schools, private schools, and colleges and universities.



Circuit Court County Filings Calendar Years 2004-2013

	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
Barbour	275	276	361	277	252	353	306	308	202	213
Berkeley	2,643	2,606	2,670	2,336	2,329	2,851	2,715	2,526	2,514	2,112
Boone	962	982	938	999	977	942	824	750	531	656
Braxton	343	314	317	271	290	303	321	326	342	279
Brooke	523	471	473	472	519	533	600	751	597	606
Cabell	4,106	4,114	3,978	3,755	3,933	4,038	3,897	3,859	3,915	3,867
Calhoun	197	177	164	165	154	127	136	128	139	130
Clay	251	311	259	297	193	228	242	182	296	263
Doddridge	229	148	122	147	147	168	137	132	146	151
Fayette	1,016	999	899	823	840	887	947	915	878	848
Gilmer	193	178	119	125	140	157	147	131	142	83
Grant	187	263	260	278	253	225	224	265	200	222
Greenbrier	819	953	964	825	795	801	881	903	964	948
Hampshire	508	424	381	367	353	420	471	464	477	369
Hancock	731	713	644	684	740	573	680	683	688	684
Hardy	306	416	303	207	269	244	292	286	286	321
Harrison	1,531	1,690	1,723	1,567	1,674	1,859	1,816	1,614	1,602	1,623
Jackson	379	513	631	540	487	472	469	437	393	397
Jefferson	1,109	1,120	1,087	1,020	1,082	1,050	972	936	884	926
Kanawha	6,862	7,327	7,264	7,529	6,989	6,354	5,358	4,806	4,586	5,634
Lewis	702	603	621	646	738	702	815	729	777	693
Lincoln	702	613	686	630	625	706	669	636	685	694
Logan	1,199	1,089	1,184	1,224	1,025	1,144	1,260	1,389	1,402	1,415
Marion	1,466	1,522	1,934	1,526	1,584	1,452	1,487	1,432	1,451	1,431
Marshall	785	826	794	835	968	974	1,025	972	880	874
Mason	584	591	740	658	539	1,154	632	605	671	663
McDowell	846	761	673	503	--	642	712	705	746	641
Mercer	2,404	2,724	2,425	1,970	2,045	2,238	2,441	2,662	2,413	2,305
Mineral	505	634	609	649	703	629	673	535	294	404
Mingo	910	1,009	1,169	1,006	1,218	1,113	1,008	1,048	1,060	850
Monongalia	2,384	2,147	2,014	1,937	2,010	1,996	1,828	1,896	1,726	1,672
Monroe	304	236	258	210	226	233	277	212	186	225
Morgan	419	422	376	368	399	364	424	356	346	319
Nicholas	647	620	658	690	768	720	773	713	721	644
Ohio	1,317	1,371	1,352	1,402	1,294	1,609	1,443	1,371	1,577	1,358
Pendleton	110	125	94	97	108	111	89	116	121	116
Pleasants	150	157	125	136	154	139	151	275	244	228
Pocahontas	337	300	264	220	237	241	238	221	232	257
Preston	668	726	674	662	661	688	714	663	650	608
Putnam	1,164	1,196	1,066	1,076	1,163	967	1,096	1,062	1,196	1,205
Raleigh	3,443	2,687	2,412	2,436	2,383	2,321	2,389	2,583	2,496	2,621
Randolph	687	599	538	513	661	692	822	775	748	747
Ritchie	142	165	182	214	213	187	239	185	232	184
Roane	342	320	302	288	293	316	327	373	328	256
Summers	310	293	236	275	250	299	341	257	320	292
Taylor	385	388	414	366	365	439	490	511	503	429
Tucker	122	135	111	124	136	136	200	125	177	141
Tyler	200	207	241	156	165	177	191	178	152	182
Upshur	515	461	481	466	478	483	481	466	429	461
Wayne	1,419	1,320	1,093	966	1,015	1,144	1,358	1,117	1,112	985
Webster	250	205	211	237	188	200	216	183	192	226
Wetzel	464	490	413	406	450	451	454	392	1,793	380
Wirt	102	127	89	94	82	92	106	92	67	157
Wood	1,999	2,089	2,152	2,074	2,156	2,170	2,230	2,133	2,186	2,263
Wyoming	613	613	512	534	607	585	555	628	640	632
Total	51,766	51,766	50,660	48,278	48,323	50,099	49,589	47,998	48,535	46,890

Notes: (1) Mass litigation filings handled by the Mass Litigation Panel are not included in 2013, 2012, and 2011 filing totals. Please refer to the mass litigation section of this report for statistical information on mass litigation cases. (2) Due to personnel turnover and technical issues, data for McDowell County Circuit Court is unavailable for 2009.

2013 Circuit Court Criminal Case Filings

	Total	Felony	Magistrate Appeals	Misdemeanor	Other Criminal Cases
Barbour	69	57	0	3	9
Berkeley	517	256	23	6	232
Boone	167	117	11	39	0
Braxton	61	42	1	3	15
Brooke	117	90	1	3	23
Cabell	918	515	7	202	194
Calhoun	41	37	0	4	0
Clay	43	36	4	1	2
Doddridge	38	35	0	3	0
Fayette	338	299	4	6	29
Gilmer	22	19	2	1	0
Grant	103	86	1	4	12
Greenbrier	258	156	0	65	37
Hampshire	166	111	6	2	47
Hancock	208	149	4	22	33
Hardy	75	65	0	0	10
Harrison	342	225	5	25	87
Jackson	69	67	1	1	0
Jefferson	236	194	8	34	0
Kanawha	1,513	802	15	151	545
Lewis	128	123	0	4	1
Lincoln	141	118	1	0	22
Logan	323	179	0	86	58
Marion	319	254	41	24	0
Marshall	152	140	4	8	0
Mason	132	96	0	6	30
McDowell	286	218	18	1	49
Mercer	736	381	20	9	326
Mineral	224	135	3	19	67
Mingo	397	138	1	3	255
Monongalia	355	306	20	20	9
Monroe	90	86	0	4	0
Morgan	113	94	5	2	12
Nicholas	136	78	2	0	56
Ohio	135	118	5	2	10
Pendleton	19	18	1	0	0
Pleasants	23	20	0	3	0
Pocahontas	120	79	21	4	16
Preston	196	66	3	11	116
Putnam	347	165	16	17	149
Raleigh	1,344	294	6	119	925
Randolph	243	115	12	39	77
Ritchie	26	18	2	2	4
Roane	126	114	0	7	5
Summers	146	127	0	6	13
Taylor	129	71	2	29	27
Tucker	25	8	4	5	8
Tyler	51	30	0	16	5
Upshur	169	97	0	42	30
Wayne	519	206	4	56	253
Webster	74	73	0	0	1
Wetzel	63	58	0	5	0
Wirt	18	17	1	0	0
Wood	257	230	13	14	0
Wyoming	173	129	3	41	0
Total	13,036	7,757	301	1,179	3,799

2013 Circuit Court Civil Case Filings

	Total	Admin. Agency Appeals	Adoption	Divorce	General Civil
Barbour	128	1	9	0	81
Berkeley	1,536	5	90	0	940
Boone	546	0	26	0	258
Braxton	167	1	14	1	74
Brooke	330	1	8	0	175
Cabell	2,481	5	55	0	996
Calhoun	64	0	7	0	26
Clay	104	0	24	0	34
Doddridge	134	0	6	0	77
Fayette	523	0	39	0	347
Gilmer	115	0	1	0	39
Grant	73	0	5	0	50
Greenbrier	405	1	20	0	275
Hampshire	236	0	11	0	168
Hancock	377	2	23	1	213
Hardy	166	1	2	0	95
Harrison	902	0	34	0	550
Jackson	283	0	27	0	161
Jefferson	716	1	16	0	586
Kanawha	4,686	152	102	2	1,966
Lewis	533	1	8	0	191
Lincoln	381	0	39	0	137
Logan	599	1	60	0	337
Marion	925	3	25	0	411
Marshall	480	2	10	29	221
Mason	343	0	21	0	181
McDowell	374	0	14	0	212
Mercer	1,212	1	45	0	567
Mineral	238	1	18	0	136
Mingo	363	2	38	0	261
Monongalia	1,892	3	31	0	995
Monroe	147	0	11	0	87
Morgan	234	0	11	0	130
Nicholas	357	4	31	0	180
Ohio	1,014	14	17	0	424
Pendleton	78	1	5	0	43
Pleasants	92	0	5	0	40
Pocahontas	152	0	5	0	64
Preston	402	1	20	0	278
Putnam	663	3	25	0	427
Raleigh	1,419	1	80	0	1,077
Randolph	338	0	15	0	209
Ritchie	77	0	5	0	47
Roane	160	0	17	0	66
Summers	99	0	7	0	60
Taylor	177	1	9	0	90
Tucker	78	0	5	0	59
Tyler	113	0	2	13	59
Upshur	219	0	12	4	134
Wayne	517	0	64	0	295
Webster	89	0	12	0	33
Wetzel	293	0	6	14	149
Wirt	60	0	1	0	23
Wood	1,418	5	52	0	545
Wyoming	283	1	37	0	207
Total	29,791	215	1,282	64	15,486

2013 Circuit Court Civil Case Filings

	Guardianship	Magistrate Appeals	Mental Health	Other Civil Cases	Other Domestic Relations	Personal Safety Appeals
Barbour	6	4	11	16	0	0
Berkeley	27	34	171	260	0	9
Boone	18	8	90	61	85	0
Braxton	7	3	25	42	0	0
Brooke	6	0	96	44	0	0
Cabell	71	69	1,068	217	0	0
Calhoun	6	0	9	16	0	0
Clay	5	2	17	17	5	0
Doddridge	3	0	18	29	0	1
Fayette	25	8	27	77	0	0
Gilmer	3	6	5	61	0	0
Grant	3	4	4	5	2	0
Greenbrier	22	4	53	29	0	1
Hampshire	12	1	14	30	0	0
Hancock	13	2	41	80	1	1
Hardy	6	9	9	44	0	0
Harrison	14	16	192	93	1	2
Jackson	17	3	47	28	0	0
Jefferson	14	7	90	0	0	2
Kanawha	120	231	1,239	860	1	13
Lewis	5	4	275	48	0	1
Lincoln	23	31	70	77	0	4
Logan	16	7	157	20	1	0
Marion	25	14	253	193	1	0
Marshall	7	5	141	63	1	1
Mason	16	0	97	28	0	0
McDowell	12	5	42	83	1	5
Mercer	50	15	194	327	0	13
Mineral	8	6	14	55	0	0
Mingo	9	2	31	20	0	0
Monongalia	21	51	230	557	0	4
Monroe	5	3	5	33	3	0
Morgan	6	2	13	71	1	0
Nicholas	16	1	63	61	0	1
Ohio	7	9	328	215	0	0
Pendleton	2	0	3	14	10	0
Pleasants	2	1	8	36	0	0
Pocahontas	6	1	46	30	0	0
Preston	12	3	21	63	0	4
Putnam	25	13	96	73	0	1
Raleigh	21	15	186	23	16	0
Randolph	19	14	27	54	0	0
Ritchie	3	1	7	13	1	0
Roane	9	1	39	28	0	0
Summers	9	0	5	15	3	0
Taylor	9	3	26	39	0	0
Tucker	3	0	1	10	0	0
Tyler	2	0	28	9	0	0
Upshur	7	1	15	45	1	0
Wayne	19	13	73	53	0	0
Webster	8	0	5	28	2	1
Wetzel	7	1	90	24	2	0
Wirt	3	4	7	20	2	0
Wood	24	25	608	143	0	16
Wyoming	13	0	24	0	0	1
Total	827	662	6,454	4,580	140	81

2013 Circuit Court Juvenile Case Filings

	Total	Child Neglect and Abuse	Delinquency	Status Offense
Barbour	78	39	20	19
Berkeley	590	119	230	241
Boone	249	84	109	56
Braxton	115	81	13	21
Brooke	76	36	37	3
Cabell	707	224	296	187
Calhoun	92	73	3	16
Clay	104	90	3	11
Doddridge	57	30	14	13
Fayette	155	119	26	10
Gilmer	56	26	25	5
Grant	11	3	8	0
Greenbrier	156	62	35	59
Hampshire	106	35	36	35
Hancock	146	48	85	13
Hardy	65	29	7	29
Harrison	287	88	106	93
Jackson	27	19	4	4
Jefferson	157	48	91	18
Kanawha	663	323	160	180
Lewis	41	29	10	2
Lincoln	180	37	32	111
Logan	277	81	48	148
Marion	222	90	90	42
Marshall	153	25	103	25
Mason	109	36	24	49
McDowell	186	63	47	76
Mercer	456	191	80	185
Mineral	43	15	16	12
Mingo	150	95	18	37
Monongalia	137	81	19	37
Monroe	67	25	17	25
Morgan	72	36	24	12
Nicholas	154	100	20	34
Ohio	168	112	41	15
Pendleton	13	3	8	2
Pleasants	35	4	14	17
Pocahontas	65	28	13	24
Preston	70	55	6	9
Putnam	154	56	35	63
Raleigh	680	255	205	220
Randolph	106	44	41	21
Ritchie	39	29	8	2
Roane	56	27	10	19
Summers	65	26	19	20
Taylor	79	27	16	36
Tucker	19	0	9	10
Tyler	36	15	15	6
Upshur	127	56	61	10
Wayne	383	107	260	16
Webster	87	71	16	0
Wetzel	108	39	41	28
Wirt	24	8	12	4
Wood	324	158	42	124
Wyoming	157	81	30	46
Total	8,939	3,681	2,758	2,500

Child Abuse and Neglect

Database Project

The Supreme Court Administrative Office, with oversight by the West Virginia Court Improvement Program Board, has been collecting data on abuse and neglect cases through a secure online data system since mid-2006. The data collection began as an initiative under then-Chief Justice Robin Jean Davis' Year of the Child. Judicial offices supply data on benchmarks in abuse and neglect cases, and the information is used to calculate federal and state performance measures. The project is made possible by grant funding from the federal Court Improvement Program awarded by the Administration for Children and Families, Department of Health and Human Services, and the Supreme Court of Appeals of West Virginia.

Judicial Performance Measure Trends

According to data collected, the time it takes for children involved in abuse and neglect proceedings to reach a permanent living placement has dropped significantly over the last seven years. For children who reached permanency in 2007, it took over nineteen months on average to complete judicial proceedings. During 2013, the average was reduced by 18 percent (approximately three months). With many children involved in such proceedings being placed out of their homes, a swifter process expedites access to a stable, permanent living arrangement. Permanency is considered to have been accomplished when a child has reached any one of the federally accepted permanency goals including reunification with parents/guardians, adoption, legal guardianship, placement with a fit and willing relative, or emancipation.

Other significant benchmarks leading to timely permanency have improved as well.

■ Early in the life of a case, a hearing is held to determine if parent or guardian respondents were abusive or neglectful. The number of days from the filing of the petition to this adjudication of respondents was an average of 106 days in 2008, compared to 76 days in 2012.

■ Following adjudication and any improvement periods, if a court finds that a child cannot safely be returned to the custody of his or her parents, the parents' rights must be terminated before the child is eligible for adoption. In 2007, an average of nearly thirteen months passed between the filing of the petition and the termination of parental rights (TPR). That time period dropped by nearly seventy days to an average of 318 days in 2012 and 2013.

■ Permanency determinations overall have gone from an average of nearly twelve months (353 days) in 2010 to nine months (288 days) in 2013.

Child Abuse and Neglect Overlap Cases

The Administrative Office collects data documenting how many of each type of child abuse and neglect overlap cases are filed. "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.

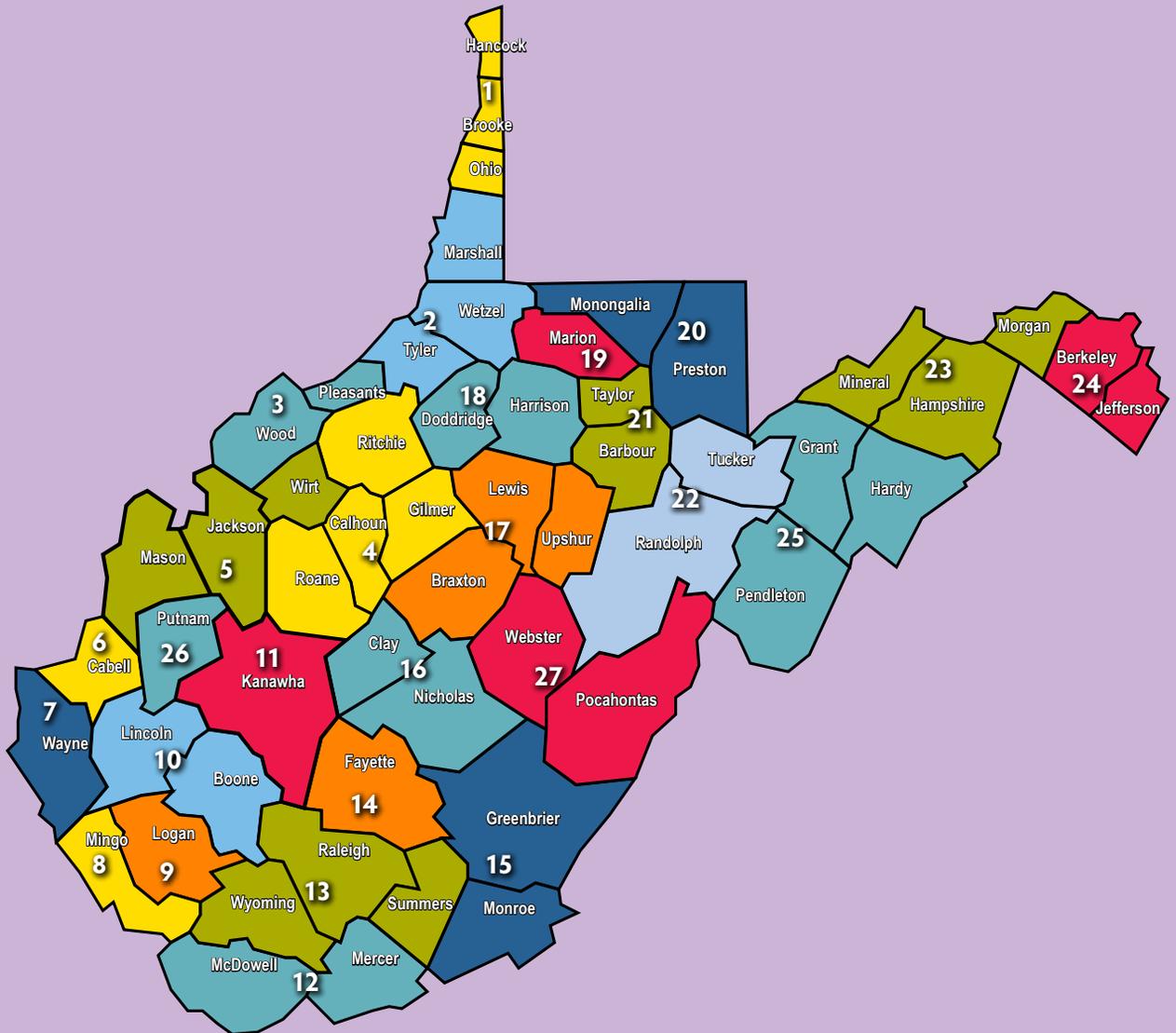
- Juvenile Administrative Orders (JAA): A family court judge who suspects child abuse and/or neglect in a pending case issues a written referral to a Child Protective Services Office and sends copies to circuit court and the prosecuting attorney. A circuit judge then issues a JAA directing child protective 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.

Table 1

Types of petitions filed	2013	2012	2011	2010	2009
Juvenile Administrative Order (JAA)	466	458	521	459	525
Juvenile Administrative Order where Mandamus was issued (JAM)	4	1	5	3	1
Family Infant Guardianship (FIG)	1,274	1,116	1,178	1,059	896
Circuit Court Infant Guardianship (CIG)	486	418	414	349	375
Circuit Court Infant Guardianship Removed (CIGR)	113	91	87	100	68

A second section of the Child Abuse and Neglect Database tracks the progress of administrative orders. This data provides more detail on juvenile administrative orders and on juvenile administrative orders where a *mandamus* is issued. Data also is collected on all outcomes of an investigation, including the initiation of safety plans and referral of services as well as petition filings. Of those records completed with investigative outcomes in 2013, 13 percent resulted in the filing of a petition. In another 21 percent of the investigations, maltreatment was substantiated, resulting in a referral for services, initiation of a safety plan, and/or the opening of an on-going child protective services case.

Family Court Judges



1st Circuit

Joyce Dumbaugh Chernenko
William F. Sinclair

2nd Circuit

Robert C. Hicks

3rd Circuit

Brian C. Dempster
C. Darren Tallman

4th Circuit

Larry S. Whited

5th Circuit

Rebecca Stafford Cornett
Constance Fisher Thomas

6th Circuit

Ronald E. Anderson
Patricia A. Keller

7th Circuit

R. Stephen Lewis

8th Circuit

Miki J. Thompson

9th Circuit

Kelly Gilmore Codisopti
Jason D. Harwood

10th Circuit

Scott E. Elswick
Cynthia J. Jarrell

11th Circuit

Ken D. Ballard
Mike J. Kelly
Robert M. Montgomery
Sharon M. Mullens
D. Mark Snyder

12th Circuit

Anthony Bisaha
Lisa K. Clark
Mary Ellen Griffith

13th Circuit

K. Bruce Lazenby
H. Suzanne McGraw
Louise G. Staton

14th Circuit

Matthew D. England

15th Circuit

David M. Sanders

16th Circuit

Donald K. Bischoff

17th Circuit

Robert Reed Sowa

18th Circuit

Lori Betler Jackson
Cornelia Reep

19th Circuit

Amy J. Swisher

20th Circuit

Patricia Tolle Hill
Randal A. Minor

21st Circuit

Beth Longo

22nd Circuit

Michele W. Good

23rd Circuit

Glen R. Stotler

24th Circuit

David P. Greenberg
Sally G. Jackson
William T. Wertman, Jr.

25th Circuit

Amanda Hatfield See

26th Circuit

William M. Watkins
*(Went on leave January 4, 2013;
Suspended March 26, 2013;
Retired December 1, 2013)*
Temporary Family Court
Judge Deloris J. Nibert
*(Serving temporarily beginning
January 4, 2013)*

27th Circuit

Jeffrey L. Hall

Family Courts

West Virginia has forty-five family court judges in twenty-seven family court circuits. To serve, family court judges must have practiced law for at least five years. Their terms are eight years.

Family courts have jurisdiction over divorce, annulment, separate maintenance, paternity, grandparent visitation, name change, infant guardianship, child custody, and family support proceedings, except those incidental to child abuse and neglect. Family court judges also hold final hearings in civil domestic violence protective order proceedings and may perform marriages.

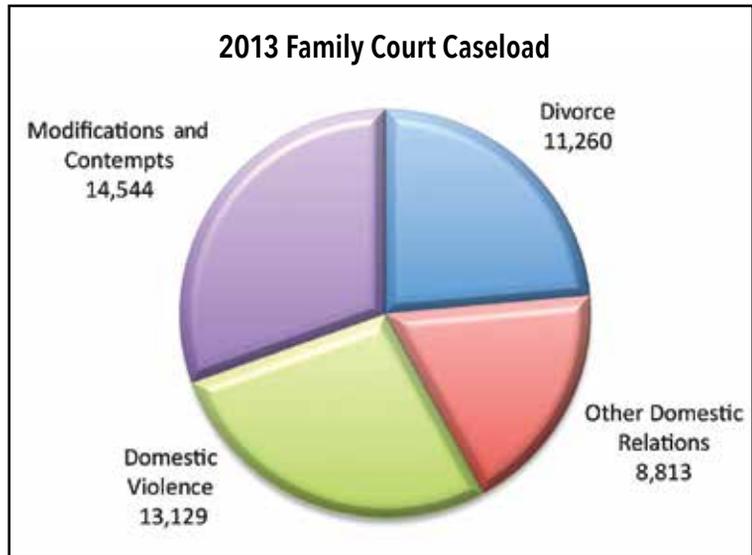
Family court judges have authority to make final decisions in family court cases. Circuit courts hear appeals of family court decisions unless both parties agree to appeal the divorce or other domestic relations decisions directly to the Supreme Court of Appeals.

In 2013, there were 33,202 new cases filed in family courts in West Virginia. Of those, 13,129 were domestic violence, 11,260 were divorces, and 8,813 were other domestic relations. There also were 14,544 modification and contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Those proceedings accounted for thirty percent of the family court judges' statewide workload.

In 2014, 984 weddings were held in family courts in West Virginia.

Family court judges can refer parents to mediation and parent education. The Supreme Court does not charge families who cannot afford to pay for these services.

All parents must attend mediation sessions if they cannot otherwise resolve parenting issues or agree to a parenting plan. Parents first go to individual pre-mediation screening sessions with a trained family case coordinator to determine if they are candidates for mediation. About twenty percent of parents are not.



If parents go to mediation, they must attend a session with a Supreme Court-approved family court mediator who helps them draft a parenting plan to present to a family court judge.

Family court judges also can order parents who are divorcing to attend a one-time, mandatory parent education class. Adults learn about preparing a parenting plan, mediation, and the effects of family dissolution and domestic violence on children. "High-conflict" parent education classes and child-focused classes are designed for parents who continue to have disputes after attending the mandatory one-time parent education class required of all divorcing couples who have children.

Family court judges also can refer people for guardian *ad litem* services. Guardians *ad litem* must be attorneys. They conduct investigations to help family court judges make decisions in the best interest of the people the guardians represent. Family court judges can appoint guardians *ad litem* on behalf of children, incarcerated persons, and people who have been adjudicated incompetent who are involved in family court disputes.

As another part of the Supreme Court's effort to improve the way the judicial system processes cases involving violence in the home, on August 31, 2012, Justice Robin Jean Davis and Kanawha County officials announced the creation of a domestic violence pilot program.

The Legislature in 2012 passed a law which allowed the Supreme Court to establish one domestic violence pilot program in any jurisdiction. The Supreme Court then chose Kanawha County Family Court Judge Mike Kelly and Magistrate Julie Yeager to handle all domestic violence cases in the county. Intervening early and on a more regular basis should help save lives, judicial officials said.

The pilot project will last four years, at the end of which a report may be given to the Speaker of the House and the Senate President.

West Virginians Served by Supreme Court-Supported Family Visitation Centers in 2013

Category	Number
Total Clients Served	1,221
Fathers	572
Mothers	585
Grandparent/Legal Guardian	64
Children Involved	884
Supervised Visitation.....	730
Neutral Drop-off	518

Total number of clients served = fathers + mothers + grandparent/legal guardian

Family Court County Filings Calendar Years 2004-2013

	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
Barbour	259	239	266	317	196	236	244	247	184	138
Berkeley	1,743	1,840	1,827	1,744	1,713	1,740	1,728	1,814	1,803	1,722
Boone	558	611	641	592	649	553	645	621	605	663
Braxton	213	186	221	257	234	209	208	235	220	233
Brooke	348	314	365	348	341	300	318	304	344	332
Cabell	1,917	2,161	2,176	2,427	2,572	2,483	2,475	2,454	2,388	2,328
Calhoun	131	137	143	138	137	147	113	119	142	174
Clay	201	239	228	241	305	249	258	325	326	282
Doddridge	101	112	115	108	117	117	121	124	142	133
Fayette	882	938	974	960	1,031	1,039	933	1,030	946	990
Gilmer	100	119	144	124	125	122	86	126	66	50
Grant	199	199	224	204	220	192	186	180	250	127
Greenbrier	658	766	729	723	714	685	593	640	685	713
Hampshire	293	378	357	322	308	307	308	282	279	333
Hancock	519	531	487	547	611	456	519	595	443	388
Hardy	236	219	230	210	271	230	264	276	289	257
Harrison	1,152	1,408	1,536	1,267	1,388	1,282	1,263	1,354	1,268	1,187
Jackson	576	573	586	633	703	446	560	456	487	457
Jefferson	726	795	865	790	817	736	768	752	775	826
Kanawha	4,043	4,104	4,362	4,397	4,686	4,244	4,153	4,302	4,741	4,270
Lewis	253	288	258	291	284	282	265	276	233	285
Lincoln	461	561	487	476	447	417	474	528	549	511
Logan	930	1,021	1,072	1,074	1,350	1,156	1,052	1,185	1,283	1,210
Marion	715	831	869	913	868	920	858	843	849	836
Marshall	488	511	586	525	582	554	513	448	526	465
Mason	432	581	598	634	596	433	529	562	474	524
McDowell	552	589	659	537	628	622	684	781	3,220	817
Mercer	1,751	1,760	1,627	1,574	1,755	1,724	1,834	1,894	1,943	1,830
Mineral	400	398	452	486	425	467	507	403	362	380
Mingo	1,041	1,015	1,085	1,136	1,108	874	1,025	1,061	1,125	1,119
Monongalia	1,021	1,180	1,259	1,207	1,195	1,235	1,208	1,171	1,183	1,228
Monroe	265	323	326	301	299	303	329	295	289	298
Morgan	214	205	237	163	223	212	186	223	218	274
Nicholas	551	638	674	673	615	521	507	518	471	495
Ohio	545	639	658	678	687	678	620	731	717	1,386
Pendleton	85	73	72	90	71	96	78	95	87	56
Pleasants	113	126	120	113	127	105	131	156	129	108
Pocahontas	125	143	157	203	165	182	172	214	221	211
Preston	559	557	573	590	609	600	554	523	514	559
Putnam	731	898	944	950	926	930	957	904	946	923
Raleigh	1,402	1,446	1,700	1,679	1,772	1,637	1,594	1,669	1,617	1,529
Randolph	555	657	672	600	613	560	552	511	505	428
Ritchie	167	180	164	188	191	174	148	156	185	145
Roane	273	314	363	320	330	357	300	362	305	329
Summers	215	225	211	240	242	252	270	305	284	246
Taylor	186	211	212	272	201	217	241	221	214	169
Tucker	75	82	92	93	107	100	77	81	99	92
Tyler	134	137	170	184	158	117	151	136	132	145
Upshur	333	417	416	369	364	308	347	343	312	339
Wayne	688	616	641	670	657	676	776	780	821	840
Webster	201	196	180	203	222	230	243	237	193	238
Wetzel	264	285	307	251	272	264	279	230	248	222
Wirt	130	98	134	89	112	90	106	131	103	114
Wood	1,801	1,889	2,123	1,957	1,826	1,633	1,633	1,607	1,647	1,524
Wyoming	691	658	751	734	737	667	763	663	793	746
Total	33,202	35,617	37,325	36,812	37,902	35,366	35,706	36,479	39,180	36,224

2013 Family Court Case Filings

	Total Filings	Divorce	Domestic Violence	Other Domestic Relations	Total	Contempt	Modification
Barbour	259	101	107	51	107	34	73
Berkeley	1,743	586	607	550	612	222	390
Boone	558	210	190	158	328	136	192
Braxton	213	90	60	63	75	27	48
Brooke	348	121	117	110	39	15	24
Cabell	1,917	601	803	513	976	415	561
Calhoun	131	69	27	35	53	17	36
Clay	201	90	63	48	88	40	48
Doddridge	101	34	44	23	39	14	25
Fayette	882	299	349	234	531	217	314
Gilmer	100	47	33	20	53	27	26
Grant	199	73	71	55	132	41	91
Greenbrier	658	203	258	197	183	116	67
Hampshire	293	99	77	117	144	56	88
Hancock	519	152	197	170	90	39	51
Hardy	236	86	63	87	137	38	99
Harrison	1,152	385	504	263	464	174	290
Jackson	576	239	206	131	228	71	157
Jefferson	726	248	246	232	337	152	185
Kanawha	4,043	1,178	1,934	931	1,940	984	956
Lewis	253	100	72	81	125	42	83
Lincoln	461	159	189	113	469	293	176
Logan	930	286	409	235	487	162	325
Marion	715	289	259	167	327	138	189
Marshall	488	151	193	144	266	91	175
Mason	432	141	180	111	179	70	109
McDowell	552	159	197	196	282	112	170
Mercer	1,751	489	674	588	747	250	497
Mineral	400	136	115	149	233	88	145
Mingo	1,041	302	467	272	211	71	140
Monongalia	1,021	342	454	225	354	120	234
Monroe	265	70	138	57	54	24	30
Morgan	214	74	60	80	115	49	66
Nicholas	551	226	215	110	209	87	122
Ohio	545	172	159	214	187	107	80
Pendleton	85	36	20	29	48	21	27
Pleasants	113	43	38	32	35	12	23
Pocahontas	125	45	52	28	112	79	33
Preston	559	182	224	153	271	110	161
Putnam	731	307	266	158	298	133	165
Raleigh	1,402	557	630	215	800	403	397
Randolph	555	170	277	108	226	98	128
Ritchie	167	78	57	32	100	52	48
Roane	273	138	54	81	167	64	103
Summers	215	86	71	58	131	48	83
Taylor	186	85	53	48	128	45	83
Tucker	75	32	27	16	40	18	22
Tyler	134	48	60	26	57	10	47
Upshur	333	157	77	99	101	42	59
Wayne	688	317	158	213	272	148	124
Webster	201	77	67	57	163	98	65
Wetzel	264	95	98	71	79	19	60
Wirt	130	39	64	27	39	10	29
Wood	1,801	565	780	456	366	179	187
Wyoming	691	196	319	176	310	105	205
Total	33,202	11,260	13,129	8,813	14,544	6,233	8,311

Magistrate Courts

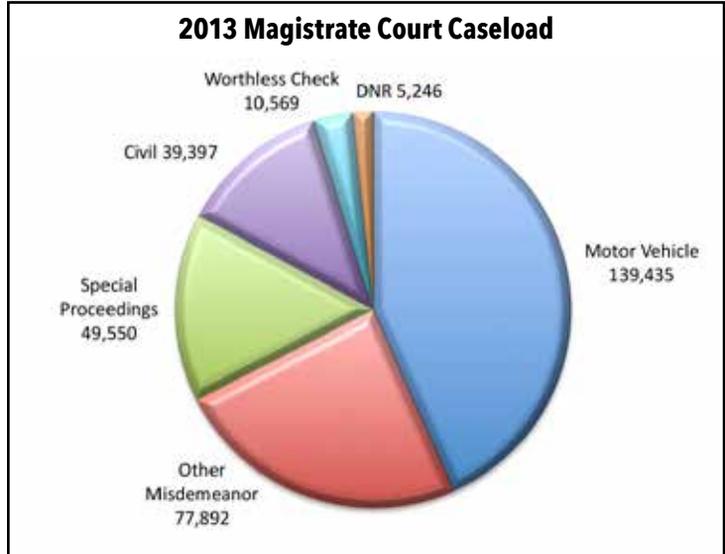
There are 158 magistrates in West Virginia. There are at least two magistrates in every county, and ten in the largest county, Kanawha.

Magistrates run for four-year terms in partisan elections. The West Virginia Constitution prohibits requiring magistrates to be lawyers, although some are. Chief circuit judges appoint magistrates to fill vacancies. An appointee who wishes to remain in office must run in the next election.

Magistrates use their training and sound judgment to oversee the application and enforcement of state laws, municipal laws, and court procedures. Magistrates have jurisdiction over civil cases in which the financial amount in dispute is less than five thousand dollars. They hear misdemeanor cases and conduct preliminary examinations in felony cases. In criminal cases they issue and record affidavits, complaints, arrest warrants, and search warrants. They set bail and make decisions concerning proposed plea agreements, the collection of courts' costs, cash bonds, and fines.

Magistrates issue emergency protective orders in cases involving domestic violence. Immediately entering domestic violence petitions into the Domestic Violence Registry is an important part of their work.

In some counties where there are no mental hygiene commissioners, the chief judge can designate a magistrate to handle all or part of probable cause involuntary hospitalization cases. Magistrates, however, cannot handle final commitment or guardianship cases. In some counties both mental hygiene commissioners and designated magistrates are appointed by the chief judge to do portions of mental hygiene work. Magistrates can enter mental hygiene orders into the West Virginia Mental Health Registry, and issue applications and temporary placement orders after hours and on weekends when needed.

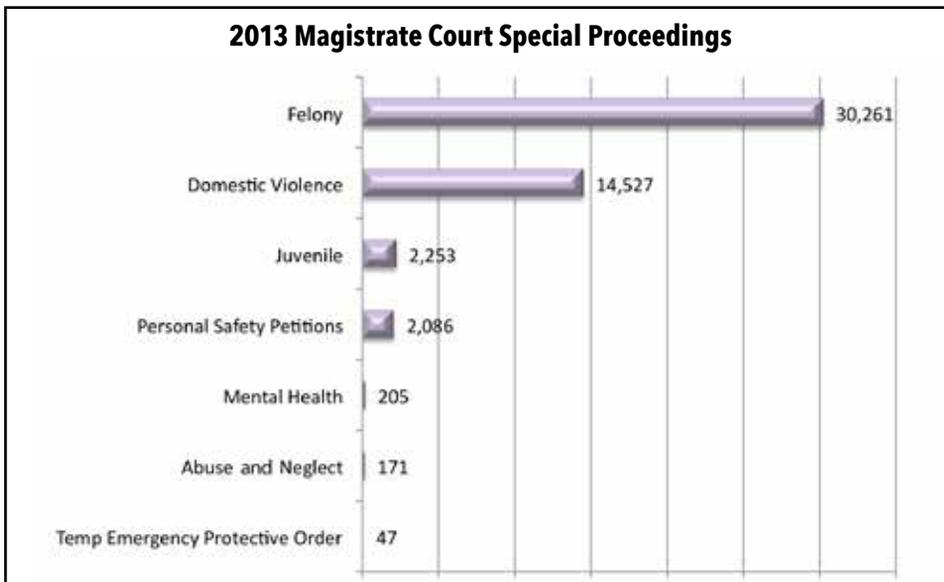


Circuit courts hear appeals of magistrate court cases.

In 2013, 322,089 cases were filed in magistrate courts in West Virginia. Of those, 139,435 were motor vehicle cases; 77,892 were other misdemeanors; 49,550 were special proceedings (felony, domestic violence, juvenile, temporary emergency protective order, personal safety petitions, mental health, abuse and neglect); 39,397 were civil cases; 10,569 were worthless check cases; and 5,246 were Division of Natural Resources cases.

Magistrates work under the administrative supervision of the Supreme Court of Appeals of West Virginia. Former Kanawha County Magistrate Janie Moore is Director of Magistrate Court Services. Caroline Stoker is the field coordinator. Melody Jordan is the division's administrative assistant and Brenda Magann is the division's paralegal.

A county-by-county list of magistrates in West Virginia, along with their office telephone numbers and fax numbers, is available on the Supreme Court website, www.courtsww.gov.



The website also has blank magistrate court forms that can be downloaded and printed for the public's use, rules governing media coverage of magistrate court proceedings, a copy of the *West Virginia Benchbook for Domestic Violence Proceedings*, and a domestic violence brochure, among other information.

Magistrate Court Case Filings Calendar Years 2004-2013

	2013			2012	2011	2010	2009	2008	2007	2006	2005	2004
	Criminal and Civil	Special Proceedings	Total									
Barbour	1,387	264	1,651	1,719	1,988	1,841	2,073	2,144	2,106	2,207	2,100	2,517
Berkeley	16,662	3,301	19,963	18,546	16,925	20,457	18,594	22,086	20,464	17,820	17,284	19,480
Boone	3,977	597	4,574	4,823	5,407	4,924	5,087	5,309	5,903	5,723	6,142	6,394
Braxton	2,092	348	2,440	2,344	3,001	3,468	2,855	3,188	3,711	3,894	3,944	4,072
Brooke	3,445	393	3,838	3,805	3,369	3,187	3,162	2,948	3,136	3,925	3,992	4,111
Cabell	13,855	2,771	16,626	17,588	19,050	18,840	18,370	18,488	20,355	20,169	21,333	23,391
Calhoun	1,136	248	1,384	1,172	1,123	932	939	922	765	773	958	926
Clay	1,833	297	2,130	2,316	2,382	1,950	1,714	1,713	2,534	2,526	2,352	2,500
Doddridge	2,088	186	2,274	1,095	1,028	1,261	1,269	1,105	1,973	1,276	1,097	1,376
Fayette	6,407	1,534	7,941	7,840	8,316	8,593	8,497	8,118	7,191	7,744	7,851	8,949
Gilmer	906	180	1,086	1,087	1,023	893	1,009	803	1,029	1,102	999	699
Grant	1,459	386	1,845	1,967	2,189	2,166	2,136	2,385	2,479	2,454	2,743	1,969
Greenbrier	4,007	826	4,833	5,073	4,893	4,063	4,431	4,963	5,053	6,699	6,085	6,715
Hampshire	3,830	328	4,158	5,162	4,712	4,546	4,686	4,765	5,778	6,079	5,808	5,233
Hancock	2,914	684	3,598	3,639	3,726	3,903	4,125	4,014	4,040	3,889	3,801	3,972
Hardy	2,671	230	2,901	3,274	3,559	3,026	3,380	3,483	3,234	4,038	4,364	4,473
Harrison	9,248	1,757	11,005	11,350	12,986	11,988	11,717	12,350	12,725	12,621	12,020	13,322
Jackson	4,051	695	4,746	4,708	5,484	3,764	3,880	3,990	4,483	4,528	4,754	5,118
Jefferson	7,949	1,220	9,169	9,375	9,329	9,289	9,241	7,740	10,531	15,734	10,962	10,578
Kanawha	27,616	6,075	33,691	35,888	34,279	33,474	38,658	44,802	50,477	39,710	41,920	40,458
Lewis	3,991	444	4,435	4,191	3,682	4,118	4,324	4,306	5,399	5,177	4,729	5,611
Lincoln	3,429	1,027	4,456	4,455	4,084	4,174	4,627	4,695	4,171	3,666	3,314	3,542
Logan	8,007	1,568	9,575	9,089	9,376	9,613	9,374	10,349	11,995	12,133	11,526	11,653
Marion	5,930	1,125	7,055	7,286	7,623	7,247	9,008	7,428	8,035	7,870	7,259	7,716
Marshall	3,494	604	4,098	4,360	4,308	4,437	4,767	4,347	5,153	5,052	4,972	4,751
Mason	3,725	506	4,231	3,559	3,851	4,018	5,272	4,735	5,418	4,530	4,194	5,222
McDowell	3,582	1,123	4,705	4,471	4,939	4,965	4,925	6,034	5,896	5,064	5,732	5,358
Mercer	11,406	3,013	14,419	15,560	16,583	14,918	14,143	14,755	16,942	18,628	20,545	18,802
Mineral	3,095	395	3,490	4,378	4,213	4,847	4,976	4,638	4,574	4,860	4,896	4,824
Mingo	5,104	1,174	6,278	6,279	5,553	5,482	6,301	7,483	7,204	6,061	6,561	5,384
Monongalia	14,585	1,574	16,159	17,185	15,139	13,387	11,215	13,509	13,889	12,970	11,919	13,048
Monroe	1,119	324	1,443	1,760	1,290	1,458	1,362	1,355	1,340	1,334	1,263	1,362
Morgan	3,242	247	3,489	3,561	3,154	2,974	3,758	3,312	3,236	3,221	4,141	3,946
Nicholas	5,212	1,077	6,289	6,127	5,545	5,728	7,887	7,268	6,775	7,657	7,665	7,112
Ohio	8,437	755	9,192	8,384	8,858	7,691	7,566	6,726	7,742	8,862	8,596	10,376
Pendleton	823	77	900	774	940	870	865	901	727	1,082	1,200	1,279
Pleasants	1,641	143	1,784	1,157	1,122	1,169	1,169	1,257	1,407	1,340	1,195	1,369
Pocahontas	1,089	211	1,300	1,270	1,608	1,786	1,989	1,490	1,950	2,592	1,444	2,159
Preston	4,794	445	5,239	5,755	4,729	4,230	4,591	5,621	5,392	5,909	5,788	5,288
Putnam	5,116	1,504	6,620	7,273	6,773	7,036	8,110	8,733	8,696	9,641	9,428	10,545
Raleigh	14,839	2,959	17,798	16,633	19,095	17,922	15,545	17,108	18,680	19,937	19,490	21,827
Randolph	6,840	717	7,557	6,854	7,189	6,042	5,969	6,899	6,591	5,845	6,877	7,069
Ritchie	2,184	158	2,342	2,066	2,264	2,193	2,429	3,168	3,850	3,665	3,477	3,287
Roane	2,228	643	2,871	2,922	2,813	2,834	2,619	3,069	3,507	3,518	3,310	3,393
Summers	1,317	174	1,491	1,548	1,448	1,848	1,782	1,788	2,053	1,904	1,780	1,786
Taylor	1,780	215	1,995	2,020	1,782	2,118	1,800	2,121	2,378	2,173	1,866	1,852
Tucker	1,412	59	1,471	1,146	1,436	1,195	1,080	996	1,138	1,141	1,395	1,469
Tyler	870	120	990	1,137	1,007	1,065	972	1,041	1,024	1,138	1,034	1,148
Upshur	4,460	389	4,849	4,521	5,225	5,276	5,310	4,368	5,159	5,235	5,771	6,087
Wayne	3,838	870	4,708	5,478	4,963	5,447	5,155	5,705	5,264	5,894	6,983	9,298
Webster	967	409	1,376	1,486	1,282	1,314	1,363	1,614	1,559	1,533	1,297	1,666
Wetzel	1,884	185	2,069	1,680	1,501	1,851	2,005	1,946	1,576	1,861	1,884	1,434
Wirt	593	152	745	629	867	802	1,244	1,054	959	1,176	917	1,021
Wood	10,071	1,703	11,774	12,355	12,067	12,649	14,262	19,666	20,873	17,835	16,001	14,068
Wyoming	3,902	1,141	5,043	4,161	4,352	2,991	3,299	3,475	3,574	3,667	3,987	3,917
Total	272,539	49,550	322,089	324,281	325,430	318,260	326,886	348,276	372,093	367,082	362,945	374,922

2013 Magistrate Court Case Filings

	Total	Civil	DNR	Motor Vehicle	Other Misdemeanor	Worthless Check
Barbour	1,387	190	69	435	397	296
Berkeley	16,662	4,641	109	6,597	5,245	70
Boone	3,977	175	71	2,635	1,083	13
Braxton	2,092	191	44	1,186	604	67
Brooke	3,445	215	51	2,431	681	67
Cabell	13,855	3,015	226	5,429	4,831	354
Calhoun	1,136	101	81	429	473	52
Clay	1,833	112	92	1,087	322	220
Doddridge	2,088	80	18	1,747	190	53
Fayette	6,407	543	61	3,365	2,265	173
Gilmer	906	155	10	377	301	63
Grant	1,459	213	57	723	359	107
Greenbrier	4,007	644	98	1,396	1,332	537
Hampshire	3,830	905	192	1,557	1,012	164
Hancock	2,914	446	36	1,200	1,170	62
Hardy	2,671	331	181	1,427	476	256
Harrison	9,248	1,697	122	4,335	2,453	641
Jackson	4,051	481	151	2,149	1,108	162
Jefferson	7,949	1,542	219	1,969	4,139	80
Kanawha	27,616	3,570	323	16,695	6,651	377
Lewis	3,991	630	253	2,151	636	321
Lincoln	3,429	145	63	1,974	1,188	59
Logan	8,007	412	84	4,689	2,690	132
Marion	5,930	875	123	3,440	1,301	191
Marshall	3,494	547	21	1,643	1,163	120
Mason	3,725	227	78	2,294	1,061	65
McDowell	3,582	134	59	758	2,617	14
Mercer	11,406	2,404	61	5,486	3,103	352
Mineral	3,095	380	108	1,687	837	83
Mingo	5,104	216	141	3,116	1,602	29
Monongalia	14,585	2,119	132	7,788	4,371	175
Monroe	1,119	92	28	566	405	28
Morgan	3,242	1,009	30	1,607	535	61
Nicholas	5,212	257	187	3,331	1,239	198
Ohio	8,437	936	45	5,824	1,520	112
Pendleton	823	77	94	408	127	117
Pleasants	1,641	95	20	1,185	203	138
Pocahontas	1,089	129	45	376	351	188
Preston	4,794	572	64	2,935	956	267
Putnam	5,116	783	150	2,624	1,353	206
Raleigh	14,839	1,231	89	7,942	5,046	531
Randolph	6,840	1,490	77	2,944	812	1,517
Ritchie	2,184	311	49	1,428	317	79
Roane	2,228	183	138	1,046	804	57
Summers	1,317	77	54	481	534	171
Taylor	1,780	244	17	1,070	373	76
Tucker	1,412	185	33	647	342	205
Tyler	870	99	35	457	191	88
Upshur	4,460	1,016	100	1,935	820	589
Wayne	3,838	1,004	80	1,887	778	89
Webster	967	62	78	421	369	37
Wetzel	1,884	189	56	1,082	414	143
Wirt	593	55	84	244	163	47
Wood	10,071	1,785	256	4,516	3,365	149
Wyoming	3,902	180	103	2,284	1,214	121
Total	272,539	39,397	5,246	139,435	77,892	10,569

2013 Magistrate Court Special Proceedings

	Total	Abuse and Neglect	Domestic Violence	Felony	Juvenile	Mental Health	Personal Safety Petitions	Temporary Protective Orders
Barbour	264	0	101	163	0	0	0	0
Berkeley	3,301	0	861	1,875	499	0	66	0
Boone	597	0	210	385	0	0	2	0
Braxton	348	0	65	283	0	0	0	0
Brooke	393	5	128	230	16	0	14	0
Cabell	2,771	0	836	1,804	0	0	122	9
Calhoun	248	11	29	181	13	12	2	0
Clay	297	23	61	203	8	2	0	0
Doddridge	186	10	51	77	24	7	16	1
Fayette	1,534	0	358	1,173	0	2	1	0
Gilmer	180	1	37	120	22	0	0	0
Grant	386	27	78	188	71	1	21	0
Greenbrier	826	0	294	448	0	0	83	1
Hampshire	328	0	77	238	0	0	13	0
Hancock	684	0	203	341	79	0	61	0
Hardy	230	0	68	150	11	0	1	0
Harrison	1,757	0	576	1,049	87	0	45	0
Jackson	695	0	224	356	39	0	76	0
Jefferson	1,220	3	343	740	89	4	35	6
Kanawha	6,075	0	2,007	3,720	0	0	348	0
Lewis	444	0	67	373	0	0	4	0
Lincoln	1,027	0	225	574	178	15	35	0
Logan	1,568	1	416	1,101	12	0	38	0
Marion	1,125	0	344	770	0	0	11	0
Marshall	604	0	195	367	0	0	41	1
Mason	506	0	152	314	0	0	40	0
McDowell	1,123	2	194	658	176	32	58	3
Mercer	3,013	0	750	2,035	0	0	228	0
Mineral	395	0	121	246	0	0	28	0
Mingo	1,174	26	467	615	58	0	6	2
Monongalia	1,574	0	512	927	0	0	131	4
Monroe	324	0	136	139	7	0	40	2
Morgan	247	2	68	137	23	0	17	0
Nicholas	1,077	12	238	754	42	25	3	3
Ohio	755	0	171	494	41	0	47	2
Pendleton	77	1	21	46	9	0	0	0
Pleasants	143	3	42	62	31	3	2	0
Pocahontas	211	0	55	111	13	3	29	0
Preston	445	0	228	190	0	0	25	2
Putnam	1,504	0	375	1,095	0	0	34	0
Raleigh	2,959	7	732	1,702	454	54	2	8
Randolph	717	0	334	373	0	0	10	0
Ritchie	158	7	66	71	14	0	0	0
Roane	643	0	78	528	31	2	4	0
Summers	174	0	70	101	0	1	1	1
Taylor	215	0	60	120	15	17	1	2
Tucker	59	0	27	30	0	0	2	0
Tyler	120	1	60	52	2	0	5	0
Upshur	389	11	104	179	76	0	19	0
Wayne	870	0	173	632	0	10	55	0
Webster	409	16	82	278	8	0	25	0
Wetzel	185	1	98	86	0	0	0	0
Wirt	152	0	64	85	0	0	3	0
Wood	1,703	1	859	611	5	0	227	0
Wyoming	1,141	0	336	681	100	15	9	0
Total	49,550	171	14,527	30,261	2,253	205	2,086	47

West Virginia Courthouse Facilities Improvement Authority



The Circuit Courtroom in the Tucker County Courthouse Annex. Photo by April Harless

The West Virginia Legislature created the Courthouse Facilities Improvement Authority in 2001 to assist county governments with the modification of existing courthouse facilities and the construction of new courthouse structures. According to W.Va. Code §29-26-1, the authority shall consist of twelve voting members and eight advisory members. The voting board consists of two members from each of the following organizations: the West Virginia Sheriffs' Association, the West Virginia Prosecuting Attorneys' Association, the West Virginia County Clerks Association, the West Virginia Association of Circuit Clerks, the County Commissioners Association of West Virginia, and the Association of West Virginia Assessors. The advisory board consists of two members from each of the following organizations: the West Virginia Judicial Association, the West Virginia Magistrates' Association and the West Virginia Family Court Judicial Association. One senator and one delegate from the West Virginia Legislature complete the final two positions of the advisory board.

In 2003, the Legislature passed additional law and legislative rules to fund the authority grants. The grants are funded by fees charged in county courthouse offices. Therefore, no tax dollars support the authority. Each year the authority solicits grant applications from all counties. The maximum support that is provided to each county is \$100,000 annually. The grants require a twenty percent match from county funds.

Many of the projects focus on life safety. Other projects address structural issues, asbestos abatement, roof problems, electrical upgrades, and other repairs. Since its inception, the authority has awarded almost \$20 million to counties.

On January 1, 2013, twenty-five counties were awarded grant funds totaling more than \$1.9 million dollars to improve or repair their courthouses.

For further information on the authority, contact (304) 558-5435 or melissa.smith@wvcfia.com or the authority's website www.cfia.wv.gov.

Courthouse Facilities Improvement Authority

Tenth Cycle Funding Awards

County		Project Cost	Award Amount
Barbour	Replace and repair twenty-nine windows	\$ 120,800	\$ 96,640
Boone	Fire suppression/sprinkler system	125,500	100,000
Cabell	Replace courthouse sidewalks	162,661	100,000
Calhoun	Repair and replace roof	212,880	83,376
Clay	Structural improvements to annex	124,492	99,593
Fayette	Electrical update to basement levels	120,000	96,000
Hardy	Repair exterior and foundation	65,000	52,000
Jackson	Repair five sets of stairs	35,825	28,660
Lewis	Replace gutters, shingles, downspouts on old jail	48,287	38,629
Lincoln	Repair exterior mortar	104,630	83,704
McDowell	Phase two of electrical distribution system	154,800	100,000
Mercer	Replace roof on lower section of courthouse	100,000	71,600
Mineral	Replace two sections of roof and one cornice	68,600	54,880
Morgan	New courthouse	11,000,000	80,000
Nicholas	Replace HVAC in courthouse	530,182	100,000
Pendleton	Replace half of courthouse roof	134,766	100,000
Putnam	Replace windows on three sides of building	129,234	100,000
Raleigh	Replace spandrels and repair medallions	99,522	79,617
Roane	Replace and upgrade lighting	37,282	29,826
Summers	Replace six roof turrets	271,640	80,000
Tucker	Structural repairs to courthouse attic	165,000	100,000
Wayne	Renovate acquired building for magistrate court use	357,409	100,000
Webster	Upgrade electrical wiring	125,000	100,000
Wood	Restore exterior balustrades and rails	35,500	28,400
Wyoming	Upgrade HVAC in courtroom	37,839	30,271
Total		\$14,366,849	\$1,933,196

Facilities



Hancock County Courthouse steps repaired

Steps leading to the Hancock County Courthouse were replaced in June 2013. Workers from the Weirton firm James White Construction used a crane to remove about seventeen steps leading from the courthouse to the bottom of Station Hill. They also poured new top steps and repaired the railing. *Photo by Stephen Huba for The Weirton Daily Times.*



Cabell courthouse sidewalks replaced

Twenty thousand square feet of sidewalks around the Cabell County Courthouse were replaced in the summer of 2013, a project that cost \$179,000 and took weeks to complete. Robinson Contracting of Ashland, Kentucky, worked in phases to ensure the public always had access to the building. Tim Keaton, the coordinator of grants, planning, and permits for Cabell County, said the county also replaced two exterior lamps destroyed by the summer 2012 derecho, at a cost of \$2,700 each. *Photo by Bill Rosenberger, The [Huntington] Herald-Dispatch*

New family court annex opens in Wayne

Wayne County celebrated the opening of a family court annex in March.

The new building across from the Wayne County Courthouse has more space and first-rate security. The facility itself shows respect for citizens who come to the court, said Seventh Family Court Circuit (Wayne County) Judge R. Stephen Lewis. Wayne County Family Court handles about two thousand hearings a year, including about six hundred new divorces. For many of those people, family court may be their first and only interaction with the West Virginia judicial system, the judge told *The [Huntington] Herald-Dispatch*.

"You don't want it to be some little side show," Judge Lewis said. "A facility like this shows the county government, the state government, takes this seriously -- the trauma of divorce."

The annex cost the county about \$600,000, said County Commissioner Bob Pasley. The Supreme Court paid the additional cost of security and furnishings.

In July new offices for probation and the county assessor opened in a building next door. In 2014 the lower level of the new annex will be remodeled to house magistrate court, which will open up enough space that the county commission can move back to the courthouse from a nearby rental property. There also are plans to build a new circuit court courtroom in the courthouse.

Hampshire County Courthouse gets "new" dome

Hampshire County's historic courthouse lost its top for a few months in 2013. The 92-year-old dome was in such bad shape the county replaced it with an exact replica, but the installation was delayed from a target date in August to December. The original dome was removed and shipped to Campbellsville Industries in Kentucky to be used as a model for the new dome, but it fell apart during the process, and the new dome had to be made without plans.

"There is really nothing left of it after this replication," Patty Davis, chairwoman of the Hampshire County Building Committee, told *The Cumberland Times-News*.

Employees of Harbel Construction of Cumberland removed the original dome in the spring and installed the replica just before Christmas. The old dome was taken down by crane in two sections, which weighed 3,500 pounds and 9,000 pounds each.

The original bell that hung in the dome was saved for use in the bottom portion of the cupola. The sides of the dome facing North, South, East, and West now have clocks and the balustrade surrounding the dome is lighted after dark.

The project cost \$301,940, which was paid for by grants, including \$106,200 from West Virginia Courthouse Facility Improvement Authority.

"I'm excited we have the dome back on our courthouse," Davis said.

Lewis County Annex



The exterior of the new Lewis County Judicial Annex, dedicated August 20, 2013. Photo by Jennifer Bundy

The Lewis County Courthouse Judicial Annex that opened with a ceremony August 20 was designed to improve safety and efficiency for county residents and employees as well as fit in with the architecture of the existing courthouse and the surrounding residential area.



The approximately \$7 million, two-story annex houses magistrate and clerk offices, adult and juvenile probation, the sheriff's department and family court on the first floor. A circuit courtroom and the court's offices, prosecutor's office, and judge's suite are located on the second floor. Officials

said having those offices in the same building instead of several different ones would save workers time and would make it easier for the public to find the services they need.

Magistrates Mike Gissy and Rob Clem were elated about the space the annex provides their staff. "The safety and security is wonderful," Magistrate Gissy told *The [Clarksburg] Exponent-Telegram*. "It will be much easier for everyone to perform their duties."

An area located just off the magistrate and circuit courtrooms will hold defendants, who formerly had to be escorted from the main courthouse to the building behind it for arraignments and initial hearings.

Supreme Court Administrative Director Steve Canterbury said the project was completed with a vision that fits in nicely in a residential area. "It's kind of hidden, which is great," he said.

Tom Potts, president of the architectural firm Silling Associates, said the limited size of the site was the biggest challenge. "The best feature is the horizontal courtroom, maintaining the width with a shorter gallery. It was a challenge to fit in with the nature of the community, including the roof lines with chimneys. The clock tower was done to recall the vertical chimneys," he told the newspaper.

A new county seal that was selected through a contest also was unveiled at the grand opening ceremony. The seal was designed by Connie Linger.



A Magistrate Court courtroom located in the Lewis County Judicial Annex, dedicated on August 20, 2013. Photo by Jennifer Bundy

Tucker County Courthouse Annex Opens



Tucker County Courthouse Annex. Photo by April Harless

The Tucker County Courthouse Annex opened in October 2013, providing modern offices for the circuit court, circuit clerk, family court, magistrate court, prosecuting attorney, county commission, county clerk, community corrections, and probation officers. The office and courtrooms are on the upper three floors, with enclosed parking on the ground floor, ensuring that all occupied spaces are outside of the floodplain.

The assessor's office, county mapper, sheriff's department, and the extension service either remained in or moved to the 115-year-old Tucker County Courthouse. That structure's courtroom will still house any large cases or large meetings.

"The county was renting space for the magistrate's offices and court, the probation office, and the sheriff's office. We were spending \$1,550 in rent alone each month," County Commissioner Mike Rosenau told *The Parsons Advocate*. "Now, since all the floor plans for the annex were approved by the state Supreme Court, they use our space and rent from us at \$1,558 a month. So, from what we're saving on rent and what the state Supreme Court is paying us in rent, we are realizing an over three thousand dollar a month savings. Our plan is to continually pay the loan down and get it paid off as quickly as possible."

The commission has been saving money for the annex for years and paid for more than half of its \$5.7 million cost up front while \$2.2 million was financed. Construction took two years. A grand opening celebration was held October 24.

The annex's architecture complements the Romanesque and Flemish styles of the Courthouse and the former jailor's residence, which sits between the two buildings. The red brick, stone base, brick banding, arched

openings, and sloped rooflines create a unified feel, while a wall of glass adjacent to the public corridor that overlooks the courthouse gives a touch of modernity and natural light to the interior.

The courthouse and the annex are connected with a single-level enclosed space. The addition of an elevator to the historic courthouse makes both buildings fully handicapped-accessible.

"The new annex has been designed not to take away but to enhance the old courthouse building," said Commissioner Lowell Moore.

Commissioner Diane Hinkle praised the art-work in the annex, by local artists and/or depicting local scenes. "This explains why Tucker County is deserving of its designation as a state cultural district," the commissioner said.



A look down one of the hallways in the Tucker County Courthouse Annex. Photo by April Harless

Supreme Court Renovations True to Cass Gilbert Vision



An extreme close-up of the ceiling in the newly illuminated first-floor hallway of the West Virginia Capitol's East Wing shows details of a floral design in one panel and an image of Neptune in the other. LED bulbs make details in the plasterwork and murals more visible. *Photo by Jennifer Bundy*

On the first floor of the East Wing of the West Virginia Capitol, it doesn't matter which way you look, there is a noticeable difference between this hallway and the rest of the building.

It looks the way Capitol Architect Cass Gilbert intended.

The lights have low-power LED bulbs that, unlike fluorescents, can be tuned to various "temperatures." Those in the hallway leading to Supreme Court Administrative Director Steve Canterbury's office are set to mimic light from incandescent bulbs when the Capitol was completed in the early 1930s. Tiny LED spotlights on top of each fixture illuminate the ceiling above.

Lights in the rest of the Capitol have a slightly cold, greenish look. Their low-power fluorescent bulbs point only down.

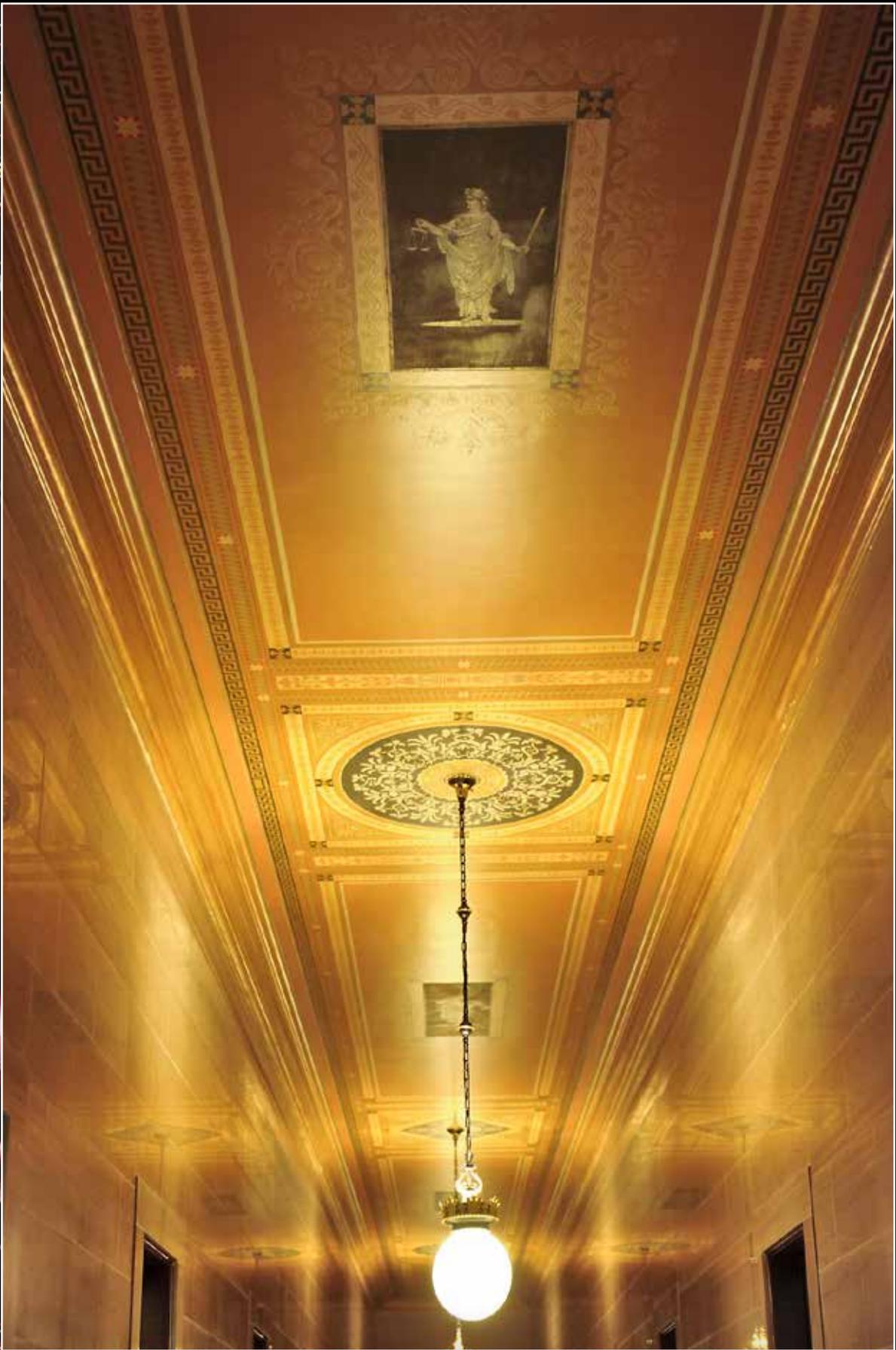
"It's a nice example of what we could do with the rest of the Capitol," said Mr. Canterbury, a non-voting member of the West Virginia Capitol Building Commission.

Details in the ceiling murals are now visible instead of shrouded in shadow. "I never noticed Neptune was there before we installed these lights. Now I can see the individual whiskers in his beard," Mr. Canterbury told the *Charleston Daily Mail*.

Rosa Mosaic and Tile Co. of Louisville, Kentucky, cleaned and buffed marble walls in an attempt to repair damage done about fifteen years ago when someone cleaned the marble with abrasive material that left marks. Not all the damage could be removed.

Gilbert was one of the most prominent architects of the early 20th century. The Supreme Court has been renovating its offices, either according to Gilbert's original plans or heavily influenced by his style, since 2008. The work began with the fourth-floor offices for legal counsel, then moved to the third floor Supreme Court Chamber, Justice's Conference Room, and Clerk's Office, completed in 2013. Renovations to the justices' offices are ongoing.

"It's been a long, slow, methodical process," Mr. Canterbury said.



The first-floor hallway in the West Virginia Capitol's East Wing leads to the entrance of the Administrative Office of the Supreme Court. LED bulbs in ceiling lights cast a glow that illuminates ceiling decorations. *Photo by Bob Wojcieszak, Charleston Daily Mail*



WEST VIRGINIA County Courthouses



BARBOUR COUNTY

The Barbour County Courthouse in Philippi was built in 1903 of hand-cut Hummelstown stone and adorned with stained glass and numerous intricately carved ornaments. The Romanesque Revival building was restored between 1995 and 2000.

Circuit Judge

Alan D. Moats, *Chief Judge*

Family Court Judge

Beth Longo

Magistrates

Kathi S. McBee
Tina M. Mouser

Circuit Clerk

Jerry Lantz

Magistrate Clerk

Sandra K. Skidmore

Chief Probation Officer

Bonnie Viani

Barbour County Courthouse

8 North Main Street
Philippi, WV 26416
304-457-3454

**Barbour County
Magistrate Court**

Church and Main Streets
Philippi, WV 26416
304-457-3676

Court Expenditures for 2013

Circuit Court.....	\$ 44,445
Family Court	319,936
Magistrate Court.....	507,766
Total	\$872,147
Courthouse Facilities Improvement Authority Grant (replace and repair twenty-nine windows).....	
	\$ 96,640

There were 275 cases filed in Barbour County Circuit Court in 2013. Of those, 46.5 percent were civil cases, 25.1 percent were criminal cases, and 28.4 percent were juvenile cases. Court filings decreased 0.4 percent compared to 2012. Barbour County is part of the Nineteenth Judicial Circuit, which also includes Taylor County.

During 2013, 259 new cases were filed in Barbour County Family Court, an increase of 8.4 percent compared to 2012. There were also seventy-three modification and thirty-four contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted fifteen marriages in 2013. Barbour County is part of the Twenty-First Family Court Circuit, which also includes Taylor County.

In 2013, there were 1,651 cases filed in Barbour County Magistrate Court, a decrease of 4 percent from 2012. Of those, 72.5 percent were criminal cases, 16 percent were special proceedings, and 11.5 percent were civil cases.



BERKELEY COUNTY

Berkeley County added a dome in 1908 to the Martinsburg courthouse, built in the 1850s of brick and limestone. A separate Berkeley County Judicial Center opened in 2006.

Court Expenditures for 2013

Circuit Court.....	\$ 3,318,552
Family Court.....	309,572
Magistrate Court.....	1,322,666
Total	\$ 4,950,791
Court Security Fund Grant	\$24,350

There were 2,643 cases filed in Berkeley County Circuit Court in 2013. Of those, 58.1 percent were civil cases, 19.6 percent were criminal cases, and 22.3 percent were juvenile cases. Court filings increased 1.4 percent compared to 2012. Berkeley County is part of the Twenty-Third Judicial Circuit, which also includes Morgan and Jefferson Counties.

During 2013, 1,743 new cases were filed in Berkeley County Family Court, a decrease of 5.3 percent compared to 2012. There were also 390 modification and 222 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted thirty-two marriages in 2013. Berkeley County is part of the Twenty-Fourth Family Court Circuit, which also includes Jefferson County.

In 2013, there were 19,963 cases filed in Berkeley County Magistrate Court, an increase of 7.6 percent from 2012. Of those, 60.2 percent were criminal cases, 16.5 percent were special proceedings, and 23.2 percent were civil cases.

Circuit Judges

Christopher C. Wilkes, *Chief Judge*
Michael Douglas Lorenson
David H. Sanders
Gray Silver, III
John C. Yoder

Family Court Judges

David P. Greenberg
Sally G. Jackson
William T. Wertman Jr.

Magistrates

Charles C. Cole, Sr.
Betty Carpenter-Hersh
Robert L. Lowe, II
JoAnn B. Overington
Harry L. Snow

Circuit Clerk

Virginia Sine

Magistrate Clerk

Ruby Kay Hawkins

Chief Probation Officer

Mark Hofe

Berkeley County Judicial Center

380 West South Street
Martinsburg, WV 25401
304-264-1918

Berkeley County Magistrate Court

Berkeley County
Judicial Center
380 West South Street
Martinsburg, WV 25401
304-264-1957



BOONE COUNTY

The Boone County Courthouse in Madison was built between 1914 and 1921 of Indiana limestone. The Neoclassical Revival building is three-stories high and has a domed belvedere that was covered with gold leaf during a 1977 renovation.

Circuit Judges

Jay M. Hoke, Chief Judge
William S. Thompson

Family Court Judges

Scott E. Elswick
Cynthia J. Jarrell

Magistrates

Charles M. Byrnside
Clarence "Porter" Snodgrass

Circuit Clerk

Sue Ann Zickefoose

Magistrate Clerk

Janet E. Dent

Chief Probation Officer

Jerry Swanson

Boone County Courthouse

200 State Street
Madison, WV 25130
304-369-7321

Boone County Magistrate Court

200 State Street
Madison, WV 25130
304-369-7364

Court Expenditures for 2013

Circuit Court.....	\$ 1,267,391
Family Court	472,390
Magistrate Court.....	549,029
Total	\$ 2,288,810
Courthouse Facilities Improvement Authority Grant (fire suppression/sprinkler system).....	\$100,000
Court Security Fund Grant	\$22,680

There were 962 cases filed in Boone County Circuit Court in 2013. Of those, 56.8 percent were civil cases, 17.4 percent were criminal cases, and 25.9 percent were juvenile cases. Court filings decreased 2 percent compared to 2012. Boone County is part of the Twenty-Fifth Judicial Circuit, which also includes Lincoln County.

During 2013, 558 new cases were filed in Boone County Family Court, a decrease of 8.7 percent compared to 2012. There were also 192 modification and 136 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. A family court judge conducted three marriages in 2013. Boone County is part of the Tenth Family Court Circuit, which also includes Lincoln County.

In 2013, there were 4,574 cases filed in Boone County Magistrate Court, a decrease of 5.2 percent from 2012. Of those, 83.1 percent were criminal cases, 13.1 percent were special proceedings, and 3.8 percent were civil cases.



BRAXTON COUNTY

The Braxton County Courthouse in Sutton, built of clay bricks, was finished in 1882. Additions were made in 1938. Its predecessor building was burned by Confederate troops during the Civil War.

Court Expenditures for 2013

Circuit Court.....	\$ 913,824
Family Court.....	312,701
Magistrate Court.....	600,071
Total	\$1,826,596
Court Security Fund Grant	\$25,300

There were 343 cases filed in Braxton County Circuit Court in 2013. Of those, 48.7 percent were civil cases, 17.8 percent were criminal cases, and 33.5 percent were juvenile cases. Court filings increased 9.2 percent compared to 2012. Braxton County is part of the Fourteenth Judicial Circuit, which also includes Clay, Gilmer, and Webster Counties.

During 2013, 213 new cases were filed in Braxton County Family Court, an increase of 14.5 percent compared to 2012. There were also forty-eight modification and twenty-seven contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted seventeen marriages in 2013. Braxton County is part of the Seventeenth Family Court Circuit, which also includes Lewis and Upshur Counties.

In 2013, there were 2,440 cases filed in Braxton County Magistrate Court, an increase of 4.1 percent from 2012. Of those, 77.9 percent were criminal cases, 14.3 percent were special proceedings, and 7.8 percent were civil cases.

Circuit Judges

Richard A. Facemire, *Chief Judge*
Jack Alsop

Family Court Judge

Robert Reed Sowa

Magistrates

Robert D. Hamil
Mary Beth Smith

Circuit Clerk

Susan Lemon

Magistrate Clerk

Timothy Hoover

Chief Probation Officer

Lucy Cruickshanks

Braxton County Courthouse

300 Main Street
Sutton, WV 26601
304-765-2837

Braxton County Magistrate Court

307 Main Street
Sutton, WV 26601
304-765-7362



BROOKE COUNTY

Brooke County's red brick courthouse with an octagonal cupola was built in Wellsburg in 1849. It is the county's second courthouse, and the bell from the first was moved to the new building. There have been two additions.

Circuit Judges

James P. Mazzone, *Chief Judge*
Martin J. Gaughan
David J. Sims
Ronald E. Wilson

Family Court Judges

Joyce Dumbaugh Chernenko
William F. Sinclair

Magistrates

Robin L. Snyder
Linda J.R. Viderman

Circuit Clerk

Glenda Brooks

Magistrate Clerk

Valerie S. Hood

Chief Probation Officer

Jim Lee (*Retired October 31, 2013*)
William Ball (*Appointed November 1, 2013*)

Brooke County Courthouse

632 Main Street
Wellsburg, WV 26070
304-737-3662

Brooke County Magistrate Court

744 Charles Street
Wellsburg, WV 26070
304-737-1321

Court Expenditures for 2013

Circuit Court.....	\$ 2,167,533
Family Court	66,136
Magistrate Court.....	508,426
Total	\$2,742,096

There were 523 cases filed in Brooke County Circuit Court in 2013. Of those, 63.1 percent were civil cases, 22.4 percent were criminal cases, and 14.5 percent were juvenile cases. Court filings increased 11 percent compared to 2012. Brooke County is part of the First Judicial Circuit, which also includes Hancock and Ohio Counties.

During 2013, 348 new cases were filed in Brooke County Family Court, an increase of 10.8 percent compared to 2012. There were also twenty-four modification and fifteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted five marriages. Brooke County is part of the First Family Court Circuit, which also includes Hancock and Ohio Counties.

In 2013, there were 3,838 cases filed in Brooke County Magistrate Court, an increase of 0.9 percent from 2012. Of those, 84.2 percent were criminal cases, 10.2 percent were special proceedings, and 5.6 percent were civil cases.



CABELL COUNTY

Construction on the Cabell County Courthouse in Huntington, built of Berea sandstone and topped with copper, was completed in 1901. Wings were added in 1924 and 1946.

Circuit Judges

Paul T. Farrell, *Chief Judge*
Alfred E. Ferguson
F. Jane Husted
David M. Pancake

Family Court Judges

Ronald E. Anderson
Patricia A. Keller

Magistrates

Rondall "Ron" L. Baumgardner
Wayne S. Bias
Darrell G. Black
Daniel M. Goheen
John H. McCallister
Danne J. Vance
Michael J. Woelfel

Circuit Clerk

Jeffrey E. Hood

Magistrate Clerk

Paula Holley

Chief Probation Officer

Jonny Winkler

Cabell County Courthouse

750 Fifth Avenue
Huntington, WV 25701
304-526-8622

Cabell County Magistrate Court

750 Fifth Avenue
Huntington, WV 25701
304-526-8642 or 8644

Court Expenditures for 2013

Circuit Court.....	\$ 4,479,925
Family Court	963,993
Magistrate Court.....	1,633,927
Total	\$ 7,077,845

Courthouse Facilities Improvement Authority Grant (replace courthouse sidewalks)	\$100,000
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There were 4,106 cases filed in Cabell County Circuit Court in 2013. Of those, 60.4 percent were civil cases, 22.4 percent were criminal cases, and 17.2 percent were juvenile cases. Court filings decreased 0.2 percent compared to 2012. Cabell County comprises the Sixth Judicial Circuit.

During 2013, 1,917 new cases were filed in Cabell County Family Court, a decrease of 11.3 percent compared to 2012. There were also 561 modification and 415 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted fifty-seven marriages in 2013. Cabell County makes up the Sixth Family Court Circuit.

In 2013, there were 16,626 cases filed in Cabell County Magistrate Court, a decrease of 5.5 percent compared to 2012. Of those, 65.2 percent were criminal cases, 16.7 percent were special proceedings, and 18.1 were civil cases.

CALHOUN COUNTY COURT HOUSE
 COMPLETED WITH THE AID OF THE W. P. A. BY THE
 COUNTY COMMISSIONERS

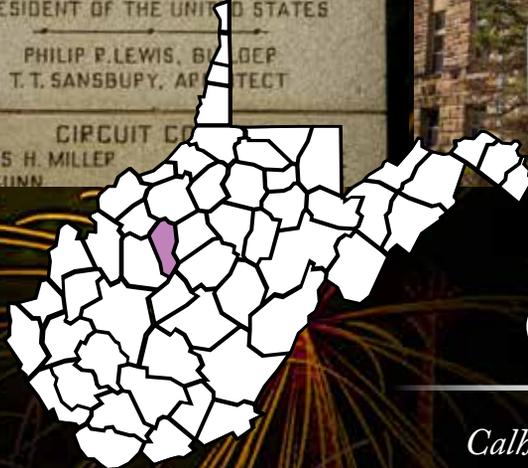
WALTER C. FARFAP PRESIDENT
 FOSTER POLING MEMBER
 FRED POBINSON MEMBER
 P. P. MOLLOHAN COUNTY CLERK
 L. C. HAMILTON PROS. ATTY.

MATTHEW M. NEELY
 GOVERNOR OF W. VA.

FRANKLIN D. ROOSEVELT
 PRESIDENT OF THE UNITED STATES

PHILIP P. LEWIS, BUILDER
 T. T. SANBURY, ARCHITECT

CIRCUIT CLERK
 LEWIS H. MILLER
 P. P. GUNN



CALHOUN COUNTY

Calhoun County's cut-stone courthouse was completed in Grantsville in 1940 by the Works Progress Administration. The two-story, Art Moderne building has a three-story, square entrance tower. It is the county's fourth courthouse; the first burned before it was occupied.

Circuit Judges

Thomas C. Evans, III, Chief Judge
 David W. Nibert

Family Court Judge

Larry S. Whited

Magistrates

Teresa D. Carpenter
 Richard G. Postalwait

Circuit Clerk

Shelia Garretson

Magistrate Clerk

Gary D. Smith

Chief Probation Officer

Kelli Guarrieri

Calhoun County Courthouse

363 Main Street, Suite 205
 Grantsville, WV 26147
 304-354-6910

Calhoun County Magistrate Court

363 Main Street, Suite 103
 Grantsville, WV 26147
 304-354-6698

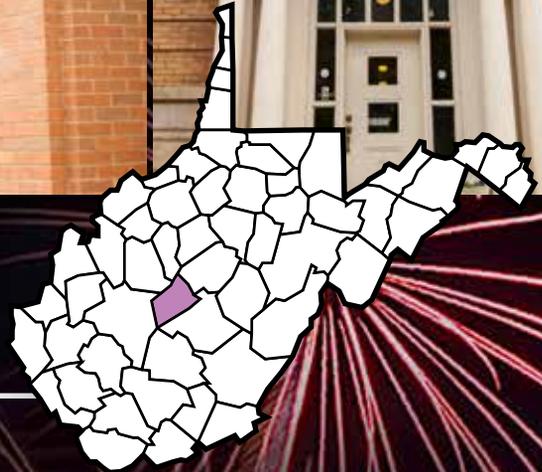
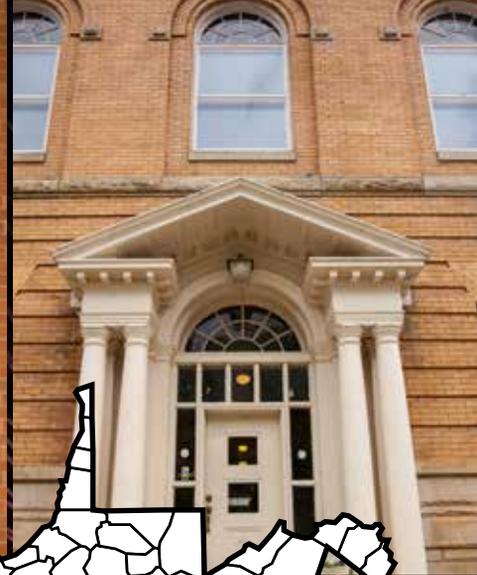
Court Expenditures for 2013

Circuit Court.....	\$ 60,531
Family Court.....	12,729
Magistrate Court.....	416,343
Total	\$ 489,603
Court House Facilities Improvement Authority	
Grant (repair and replace roof).....	\$83,376
Court Security Fund Grant	\$14,658

There were 197 cases filed in Calhoun County Circuit Court in 2013. Of those, 32.5 percent were civil cases, 20.8 percent were criminal cases, and 46.7 percent were juvenile cases. Court filings increased 11.3 percent compared to 2012. Calhoun County is part of the Fifth Judicial Circuit, which also includes Jackson, Mason, and Roane Counties.

During 2013, 131 new cases were filed in Calhoun County Family Court, a decrease of 4.4 percent compared to 2012. There were also thirty-six modification and seventeen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted one marriage in 2013. Calhoun County is part of the Fourth Family Court Circuit, which also includes Gilmer, Ritchie, and Roane Counties.

In 2013, there were 1,384 cases filed in Calhoun County Magistrate Court, an increase 18.1 percent from 2012. Of those, 74.8 percent were criminal cases, 17.9 percent were special proceedings, and 7.3 percent were civil cases.



CLAY COUNTY

The Clay County Courthouse is the county's third. The contemporary red brick structure was completed in the town of Clay in 1978. Its exterior features arches and a colonnade while the interior is designed around a first-floor atrium, open stairwell, and skylight.

Court Expenditures for 2013

Circuit Court.....	\$ 389,976
Family Court	34,144
Magistrate Court.....	440,966
Total	\$ 865,087

Courthouse Facilities Improvement Authority Grant
(structural improvements to annex)..... \$99,593

There were 251 cases filed in Clay County Circuit Court in 2013. Of those, 41.4 percent were civil cases, 17.2 percent were criminal cases, and 41.4 percent were juvenile cases. Court filings decreased 19.3 percent compared to 2012. Clay County is part of the Fourteenth Judicial Circuit, which also includes Braxton, Gilmer, and Webster Counties.

During 2013, 201 new cases were filed in Clay County Family Court, a decrease of 15.9 percent compared to 2012. There were also forty-eight modification and forty contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted eight marriages in 2013. Clay County is part of the Sixteenth Family Court Circuit, which also includes Nicholas County.

In 2013, there were 2,130 cases filed in Clay County Magistrate Court, a decrease of 8 percent from 2012. Of those, 80.8 percent were criminal cases, 13.9 percent were special proceedings, and 5.3 percent were civil cases.

Circuit Judges

Richard A. Facemire, *Chief Judge*
Jack Alsop

Family Court Judge

Donald K. Bischoff

Magistrates

Jeffrey W. Boggs
Mitchel H. King

Circuit Clerk

Mike Asbury

Magistrate Clerk

Trisha L. Triplett

Chief Probation Officer

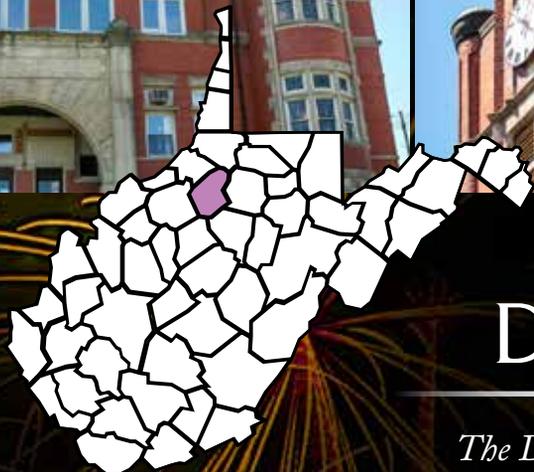
Lucy Cruickshanks

Clay County Courthouse

246 Main Street
Clay, WV 25043
304-587-4256

Clay County Magistrate Court

225 Main Street
Clay, WV 25043
304-587-2131



DODDRIDGE COUNTY

The Doddridge County Courthouse, built in West Union, was completed in 1904 of red brick and cut stone. It is the county's third courthouse; the first two were destroyed by fire.

Circuit Judge

Timothy L. Sweeney, *Chief Judge*

Family Court Judges

Lori B. Jackson
Cornelia A. Reep

Magistrates

Olivia Adams
Jamie Lou Moran

Circuit Clerk

Dwight E. Moore

Magistrate Clerk

Candi E. Rollins

Chief Probation Officer

Kristen Layfield (*Appointed July 10, 2013*)

Doddridge County Courthouse

118 East Court Street
West Union, WV 26456
304-873-2331

Doddridge County Magistrate Court

118 East Court Street
West Union, WV 26456
304-873-2694

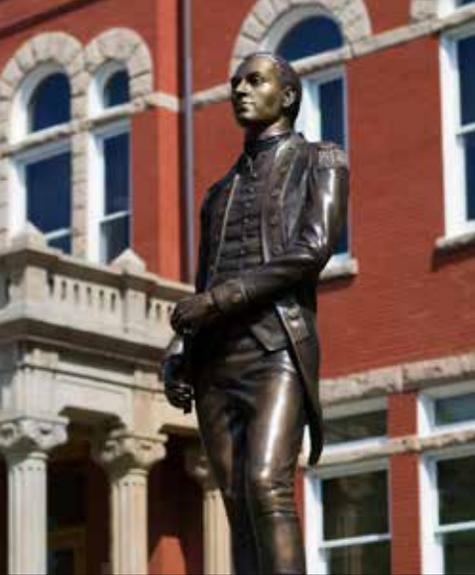
Court Expenditures for 2013

Circuit Court.....	\$ 124,215
Family Court	7,137
Magistrate Court.....	443,633
Total	\$ 574,985
Court Security Fund Grant	\$74,663

There were 229 cases filed in Doddridge County Circuit Court in 2013. Of those, 58.5 percent were civil cases, 16.6 percent were criminal cases, and 24.9 percent were juvenile cases. Court filings increased 54.7 percent compared to 2012. Doddridge County is part of the Third Judicial Circuit, which also includes Pleasants and Ritchie Counties.

During 2013, 101 new cases were filed in Doddridge County Family Court, a decrease of 9.8 percent compared to 2012. There were also twenty-five modification and fourteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Doddridge County is part of the Eighteenth Family Court Circuit, which also includes Harrison County.

In 2013, there were 2,274 cases filed in Doddridge County Magistrate Court, an increase of 107.7 percent from 2012. Of those, 88.3 percent were criminal cases, 8.2 percent were special proceedings, and 3.5 percent were civil cases.



FAYETTE COUNTY

Fayette County's fourth courthouse was completed in 1895. The Fayetteville landmark, faced with Washington brick and cut stone, was expanded in 1948, 1958, and 1976. A 1987 annex houses one of the county's two circuit judges, magistrate court, the assessor's office, and the sheriff's tax office.

Court Expenditures for 2013

Circuit Court.....	\$ 2,109,112
Family Court	348,681
Magistrate Court.....	971,172
Total	\$3,428,966

Courthouse Facilities Improvement Authority Grant
(electrical update to basement levels) \$96,000

There were 1,016 cases filed in Fayette County Circuit Court in 2013. Of those, 51.5 percent were civil cases, 33.3 percent were criminal cases, and 15.2 percent were juvenile cases. Court filings increased 1.7 percent compared to 2012. Fayette County comprises the Twelfth Judicial Circuit.

During 2013, 882 new cases were filed in Fayette County Family Court, a decrease of 6 percent compared to 2012. There were also 314 modification and 217 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted four marriages in 2013. Fayette County comprises the Fourteenth Family Court Circuit.

In 2013, there were 7,941 cases filed in Fayette County Magistrate Court, an increase of 1.3 percent from 2012. Of those, 73.8 percent were criminal cases, 19.3 percent were special proceedings, and 6.8 percent were civil cases.

Circuit Judges

John W. Hatcher, Jr., Chief Judge
Paul M. Blake, Jr.

Family Court Judge

Matthew Dean England

Magistrates

Leonard H. Bickford
Sharon R. McGraw
Samuel D. Parsons
Danita G. Young

Circuit Clerk

Daniel Wright

Magistrate Clerk

Beverly J. Hundley

Chief Probation Officer

Janette Woodrum

Fayette County Courthouse

100 North Court Street
Fayetteville, WV 25840
304-574-4249

Fayette County Magistrate Court

100 Church Street
Fayetteville, WV 25840
304-574-4279



GILMER COUNTY

Gilmer County's third courthouse was completed in 1923 in Glenville. A two-story brick and glass annex was added in 1974. The original two-story brick and stone structure has limestone detailing and a sandstone foundation and features Doric columns supporting a gabled portico.

Circuit Judges

Richard A. Facemire, Chief Judge
Jack Alsop

Family Court Judge

Larry S. Whited

Magistrates

Alton L. Skinner, II
Carol L. Wolfe

Circuit Clerk

Karen Elkin

Magistrate Clerk

Linda K. James

Chief Probation Officer

Lucy Cruickshanks

Gilmer County Courthouse

10 Howard Street
Glenville, WV 26351
304-462-7241

Gilmer County Magistrate Court

201 North Court Street
Glenville, WV 26351
304-462-7812

Court Expenditures for 2013

Circuit Court.....	\$ 67,509
Family Court	12,516
Magistrate Court.....	398,884
Total	\$ 478,910

There were 193 cases filed in Gilmer County Circuit Court in 2013. Of those, 59.6 percent were civil cases, 11.4 percent were criminal cases, and 29 percent were juvenile cases. Court filings increased 8.4 percent compared to 2012. Gilmer County is part of the Fourteenth Judicial Circuit, which also includes Braxton, Clay, and Webster Counties.

During 2013, 100 new cases were filed in Gilmer County Family Court, a decrease of 16 percent compared to 2012. There were also twenty-six modification and twenty-seven contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted five marriages in 2013. Gilmer County is part of the Fourth Family Court Circuit, which also includes Calhoun, Ritchie, and Roane Counties.

In 2013, there were 1,086 cases filed in Gilmer County Magistrate Court, a decrease of 0.1 percent from 2012. Of those, 69.2 percent were criminal cases, 16.6 percent were special proceedings, and 14.3 percent were civil cases.



GRANT COUNTY

The Grant County Courthouse in Petersburg was completed in 1976 to replace the county's first courthouse, built in 1879, a structure that still stands several blocks away.

Court Expenditures for 2013

Circuit Court.....	\$ 447,477
Family Court	28,099
Magistrate Court.....	405,154
Total	\$ 880,730

There were 187 cases filed in Grant County Circuit Court in 2013. Of those, 39 percent were civil cases, 55.1 percent were criminal cases, and 5.9 percent were juvenile cases. Court filings decreased 28.9 percent compared to 2012. Grant County is part of the Twenty-First Judicial Circuit, which also includes Mineral and Tucker Counties.

During 2013, 199 new cases were filed in Grant County Family Court, the same number as in 2012. There were also ninety-one modification and forty-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge also conducted two marriages in 2013. Grant County is part of the Twenty-Fifth Family Court Circuit, which also includes Hardy and Pendleton Counties.

In 2013, there were 1,845 cases filed in Grant County Magistrate Court, a decrease of 6.2 percent from 2012. Of those, 67.5 percent were criminal cases, 20.9 percent were special proceedings, and 11.5 percent were civil cases.

Circuit Judges

Philip B. Jordan, *Chief Judge*
Lynn A. Nelson

Family Court Judge

Amanda Hatfield See

Magistrates

Willard L. Earle, II
Larry W. Ours

Circuit Clerk

Nancy Dayton

Magistrate Clerk

Janet S. Frye

Chief Probation Officer

Jerome DiBacco

Grant County Courthouse

5 Highland Avenue
Petersburg, WV 26847
304-257-4545

Grant County Magistrate Court

4 North Main Street
Petersburg, WV 26847
304-257-4637



GREENBRIER COUNTY

The Greenbrier County Courthouse in Lewisburg was built in 1837, while the county was still part of Virginia. Wings were added in 1937 and 1963. The red brick colonial building is the oldest functioning courthouse in West Virginia.

Circuit Judges

James J. Rowe, *Chief Judge*
Joseph C. Pomponio, Jr.

Family Court Judge

David M. Sanders

Magistrates

Charles D. Beard
Brenda L. Campbell
Brenda J. Smith

Circuit Clerk

Louvonne Arbuckle

Magistrate Clerk

Deborah A. Kaizer

Chief Probation Officer

Fred Taylor, II

Greenbrier County Courthouse

200 North Court Street
Lewisburg, WV 24901
304-647-6626

Greenbrier County Magistrate Court

203 Green Lane
Lewisburg, WV 24901
304-647-6632 ext. 311

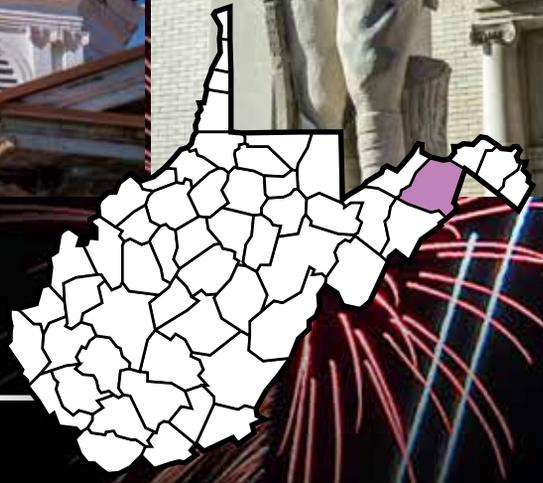
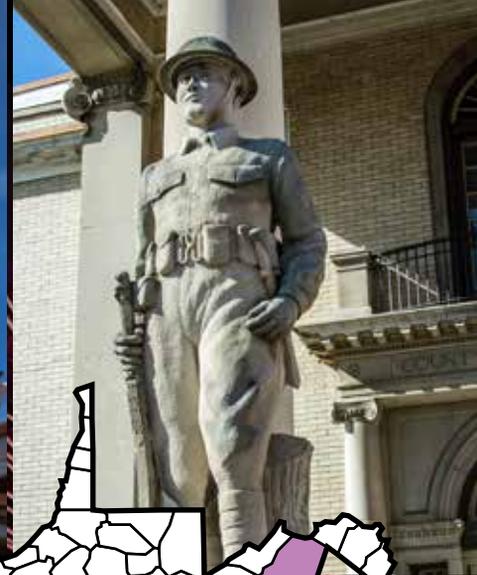
Court Expenditures for 2013

Circuit Court.....	\$ 2,285,013
Family Court	320,042
Magistrate Court.....	871,808
Total	\$3,476,863

There were 819 cases filed in Greenbrier County Circuit Court in 2013. Of those, 49.5 percent were civil cases, 31.5 percent were criminal cases, and 19 percent were juvenile cases. Court filings decreased 14.1 percent compared to 2012. Greenbrier County is part of the Eleventh Judicial Circuit, which also includes Pocahontas County.

During 2013, 658 new cases were filed in Greenbrier County Family Court, a decrease of 14.1 percent compared to 2012. There were also sixty-seven modification and 116 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Greenbrier County is part of the Fifteenth Family Court Circuit, which also includes Monroe County.

In 2013, there were 4,833 cases filed in Greenbrier County Magistrate Court, a decrease of 4.7 percent from 2012. Of those, 69.6 percent were criminal cases, 17.1 percent were special proceedings, and 13.3 percent were civil cases.



HAMPSHIRE COUNTY

The cream-colored brick Hampshire County Courthouse is in Romney, which was founded in 1762 and is the oldest county seat in West Virginia. The present courthouse was built in 1922. A new Hampshire County Judicial Center opened in 2008.

Court Expenditures for 2013

Circuit Court.....	\$ 1,332,354
Family Court	33,163
Magistrate Court.....	532,732
Total	\$ 1,898,249

There were 508 cases filed in Hampshire County Circuit Court in 2013. Of those, 46.4 percent were civil cases, 32.7 percent were criminal cases, and 20.9 percent were juvenile cases. Court filings increased 19.8 percent compared to 2012. Hampshire County is part of the Twenty-Second Judicial Circuit, which also includes Hardy and Pendleton Counties.

During 2013, 293 new cases were filed in Hampshire County Family Court, a decrease of 22.5 percent compared to 2012. There were also eighty-eight modification and fifty-six contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Hampshire County is part of the Twenty-Third Family Court Circuit, which also includes Mineral and Morgan Counties.

In 2013, there were 4,158 cases filed in Hampshire County Magistrate Court, a decrease of 19.4 percent from 2012. Of those, 70.3 percent were criminal cases, 7.9 percent were special proceedings, and 21.8 percent were civil cases.

Circuit Judges

Charles E. Parsons, *Chief Judge*
Donald H. Cookman
(Retired January 23, 2013)
H. Charles Carl, III
(Took office August 16, 2013)

Family Court Judge

Glen R. Stotler

Magistrates

Ronald J. DiCiolla
Shirley A. Timbrook

Circuit Clerk

Sonja Embrey

Magistrate Clerk

Wanda L. Billmeyer
(Retired May 31, 2013)
Christie D. Davis
(Took office June 1, 2013)

Chief Probation Officer

John Rohrbaugh

Hampshire County Judicial Center

50 South High Street, Suite 157
Romney, WV 26757
304-822-5022

Hampshire County Magistrate Court

Hampshire County Judicial Center
50 South High Street, Suite 3
Romney, WV 26757
304-822-4311



HANCOCK COUNTY

Hancock County's stone-faced courthouse was built in New Cumberland in the 1920s. It replaced the first courthouse, which burned. An annex has been added.

Circuit Judges

James P. Mazzone, *Chief Judge*
 Martin J. Gaughan
 David J. Sims
 Ronald E. Wilson

Family Court Judges

Joyce Dumbaugh Chernenko
 William F. Sinclair

Magistrates

William S. Hicks
 Michael W. Powell
 Michael S. White

Circuit Clerk

Brenda Jackson

Magistrate Clerk

Tamera A. Smith

Chief Probation Officer

Jim Lee
(Retired October 31, 2013)
 William Ball
(Appointed November 1, 2013)

Hancock County Courthouse

102 Court Street
 New Cumberland, WV 26047
 304-564-3311 ext. 261

Hancock County Magistrate Court

110 South Court Street
 New Cumberland, WV 26047
 304-564-3355

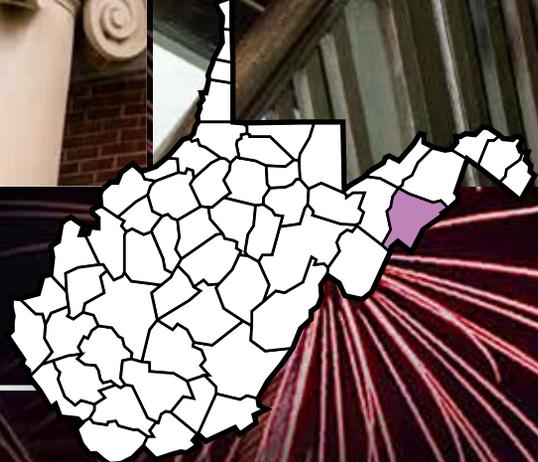
Court Expenditures for 2013

Circuit Court.....	\$ 845,523
Family Court	25,788
Magistrate Court.....	729,915
Total	\$ 1,601,226

There were 731 cases filed in Hancock County Circuit Court in 2013. Of those, 51.6 percent were civil cases, 28.5 percent were criminal cases, and 19.9 percent were juvenile cases. Court filings increased 2.5 percent compared to 2012. Hancock County is part of the First Judicial Circuit, which also includes Brooke and Ohio Counties.

During 2013, 519 new cases were filed in Hancock County Family Court, a decrease of 2.3 percent compared to 2012. There were also fifty-one modification and thirty-nine contempt proceedings in cases reopened during the year, which were not counted as new cases filed. A family court judge conducted ten marriages in 2013. Hancock County is part of the First Family Court Circuit, which also includes Brooke and Ohio Counties.

In 2013, there were 3,598 cases filed in Hancock County Magistrate Court, a decrease of 1.1 percent from 2012. Of those, 68.6 percent were criminal cases, 19 percent were special proceedings, and 12.4 percent were civil cases.



HARDY COUNTY

The Hardy County Courthouse in Moorefield, the county's third, was built in 1914 of red brick. The two earlier courthouses still stand.

Court Expenditures for 2013

Circuit Court.....	\$ 911,737
Family Court	328,824
Magistrate Court.....	418,886
Total	\$ 1,659,447
Courthouse Facilities Improvement Authority Grant (repair exterior and foundation).....	\$52,000
Court Security Fund Grant	\$40,900

There were 306 cases filed in Hardy County Circuit Court in 2013. Of those, 54.2 percent were civil cases, 24.5 percent were criminal cases, and 21.3 percent were juvenile cases. Court filings decreased 26.4 percent compared to 2012. Hardy County is part of the Twenty-Second Judicial Circuit, which also includes Hampshire and Pendleton Counties.

During 2013, 236 new cases were filed in Hardy County Family Court, an increase of 7.8 percent compared to 2012. There were also ninety-nine modification and thirty-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted twelve marriages in 2013. Hardy County is part of the Twenty-Fifth Family Court Circuit, which also includes Grant and Pendleton Counties.

In 2013, there were 2,901 cases filed in Hardy County Magistrate Court, a decrease of 11.4 percent from 2012. Of those, 80.7 percent were criminal cases, 7.9 percent were special proceedings, and 11.4 percent were civil cases.

Circuit Judges

Charles E. Parsons, *Chief Judge*
Donald H. Cookman
(Retired January 23, 2013)
H. Charles Carl, III
(Took office August 16, 2013)

Family Court Judge

Amanda Hatfield See

Magistrates

Shawna Crites
Craig A. Hose

Circuit Clerk

Kim Evans

Magistrate Clerk

Helen H. Martin

Chief Probation Officer

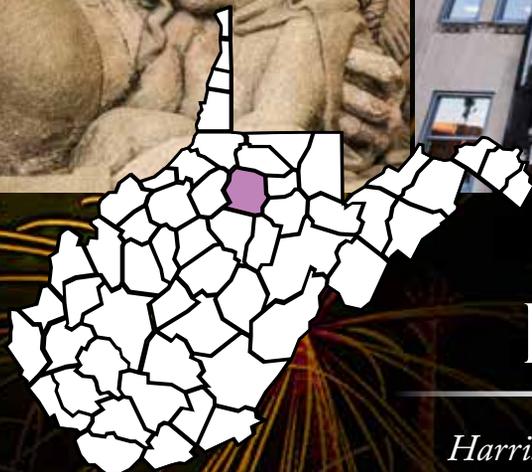
John Rohrbaugh

Hardy County Courthouse

204 Washington Street
Moorefield, WV 26836
304-530-0232

Hardy County Magistrate Court

204 Washington Street
Moorefield, WV 26836
304-530-0212



HARRISON COUNTY

Harrison County's courthouse in Clarksburg was dedicated in 1932. The county's fourth courthouse, it is a superb example of art deco architecture.

Circuit Judges

James A. Matish, *Chief Judge*
Thomas A. Bedell
J. Lewis Marks, Jr.

Family Court Judges

Lori B. Jackson
Cornelia A. Reep

Magistrates

Warren E. Davis
Frank A. DeMarco
Mark A. Gorby
Keith W. Marple
Tammy F. Marple

Circuit Clerk

Donald L. Kopp, II

Magistrate Clerk

Wendy Davis

Chief Probation Officer

Charles Scott

Harrison County Courthouse

301 West Main Street
Clarksburg, WV 26301
304-624-8640

Harrison County Magistrate Court

306 Washington Avenue
Clarksburg, WV 26301
304-624-8648

Court Expenditures for 2013

Circuit Court.....	\$ 3,384,082
Family Court	689,787
Magistrate Court.....	1,225,314
Total	\$5,299,183

There were 1,531 cases filed in Harrison County Circuit Court in 2013. Of those, 58.9 percent were civil cases, 22.4 percent were criminal cases, and 18.7 percent were juvenile cases. Court filings decreased 9.4 percent compared to 2012. Harrison County comprises the Fifteenth Judicial Circuit.

During 2013, 1,152 new cases were filed in Harrison County Family Court, a decrease of 18.2 percent compared to 2012. There were also 290 modification and 174 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. A family court judge conducted sixty-seven marriages in 2013. Harrison County is part of the Eighteenth Family Court Circuit, which also includes Doddridge County.

In 2013, there were 11,005 cases filed in Harrison County Magistrate Court, a decrease of 3 percent from 2012. Of those, 68.6 percent were criminal cases, 16 percent were special proceedings, and 15.4 percent were civil cases.



JACKSON COUNTY

The Jackson County Courthouse in Ripley was completed in 1920 and is the site of one of West Virginia's largest annual Fourth of July gatherings.

The courthouse is the county's third; and it was remodeled and expanded in 1961.

Court Expenditures for 2013

Circuit Court.....	\$ 948,035
Family Court	398,384
Magistrate Court.....	553,256
Total.....	\$ 1,899,675

Courthouse Facilities Improvement Authority Grant (repairs to five sets of steps).....	\$28,660
Court Security Fund Grant	\$46,928

There were 379 cases filed in Jackson County Circuit Court in 2013. Of those, 74.7 percent were civil cases, 18.2 percent were criminal cases, and 7.1 percent were juvenile cases. Court filings decreased 26.1 percent compared to 2012. Jackson County is part of the Fifth Judicial Circuit, which also includes Calhoun, Mason, and Roane Counties.

During 2013, 576 new cases were filed in Jackson County Family Court, an increase of 0.5 percent compared to 2012. There were also 157 modification and seventy-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. A family court judge conducted twenty-one marriages in 2013. Jackson County is part of the Fifth Family Court Circuit, which also includes Mason and Wirt Counties.

In 2013, there were 4,746 cases filed in Jackson County Magistrate Court, an increase of 0.8 percent from 2012. Of those, 75.2 percent were criminal cases, 14.6 percent were special proceedings, and 10.1 percent were civil cases.

Circuit Judges

Thomas C. Evans, III, Chief Judge
David W. Nibert

Family Court Judges

Rebecca Stafford Cornett
Constance Fisher Thomas

Magistrates

Jacqueline R. Casto
William T. Reynolds

Circuit Clerk

Bruce DeWees

Magistrate Clerk

Kristin D. Carpenter-Smith

Chief Probation Officer

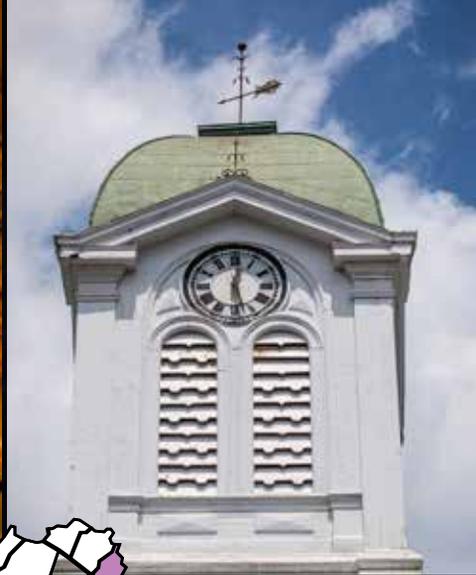
Kelli Guarrieri

Jackson County Courthouse

100 Court Street
Ripley, WV 25271
304-373-2210

Jackson County Magistrate Court

100 Main Street
Ripley, WV 25271
304-373-2313



JEFFERSON COUNTY

The Jefferson County Courthouse in Charles Town, built in 1836 and rebuilt in the 1870s, was the site of the 1859 treason trial of abolitionist John Brown. An annex was added in 1910.

Circuit Judges

Christopher C. Wilkes, *Chief Judge*
Michael Douglas Lorensen
David H. Sanders
Gray Silver, III
John C. Yoder

Family Court Judges

David P. Greenberg
Sally G. Jackson
William T. Wertman Jr.

Magistrates

Gail C. Boober
Mary P. Rissler
William E. Senseney

Circuit Clerk

Laura Storm

Magistrate Clerk

Bonnie L. Seal

Chief Probation Officer

C. Mark Hofe

Jefferson County Courthouse

119 North George Street
Charles Town, WV 25414
304-728-3231

Jefferson County Magistrate Court

110 North George Street
Charles Town, WV 25414
304-728-3233 ext. 342

Court Expenditures for 2013

Circuit Court.....	\$ 1,360,518
Family Court	544,044
Magistrate Court.....	839,239
Total	\$ 2,743,801

There were 1,109 cases filed in Jefferson County Circuit Court in 2013. Of those, 64.6 percent were civil cases, 21.3 percent were criminal cases, and 14.1 percent were juvenile cases. Court filings decreased 1 percent compared to 2012. Jefferson County is part of the Twenty-Third Judicial Circuit, which also includes Berkeley and Morgan Counties.

During 2013, 726 new cases were filed in Jefferson County Family Court, a decrease of 8.7 percent compared to 2012. There were also 185 modification and 152 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. A family court judge conducted sixty marriages in 2013. Jefferson County is part of the Twenty-Fourth Family Court Circuit, which also includes Berkeley County.

In 2013, there were 9,169 cases filed in Jefferson County Magistrate Court, a decrease of 2.2 percent from 2012. Of those, 69.9 percent were criminal cases, 13.3 percent were special proceedings, and 16.8 percent were civil cases.



KANAWHA COUNTY

The Kanawha County Courthouse in Charleston was built in 1892 of locally quarried stone, with additions in 1917 and 1926. A separate Judicial Building was completed in 1982, renovated in 2005, and now houses all of the county's judicial officers.

Court Expenditures for 2013

Circuit Court.....	\$ 9,386,265
Family Court	2,360,784
Magistrate Court.....	2,694,815
Total	\$ 14,441,864
Court Security Fund Grant	\$ 20,993

There were 6,862 cases filed in Kanawha County Circuit Court in 2013. Of those, 68.3 percent were civil cases, 22 percent were criminal cases, and 9.7 percent were juvenile cases. Court filings decreased 6.3 percent compared to 2012. Kanawha County is the only county in the Thirteenth Judicial Circuit.

During 2013, 4,043 new cases were filed in Kanawha County Family Court, a decrease of 1.5 percent compared to 2012. There were also 956 modification and 984 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted 299 marriages in 2013. Kanawha County makes up the Eleventh Family Court Circuit.

In 2013, there were 33,691 cases filed in Kanawha County Magistrate Court, a decrease of 6.1 percent from 2012. Of those, 71.4 percent were criminal cases, 18 percent were special proceedings, and 10.6 percent were civil cases.

Circuit Judges

Jennifer F. Bailey, *Chief Judge*
Louis H. "Duke" Bloom
Tod J. Kaufman
Charles E. King
James C. Stucky
Carrie Webster
Paul Zakaib Jr.

Family Court Judges

Kenneth D. Ballard
Michael J. Kelly
Robert M. Montgomery
Sharon M. Mullens
D. Mark Snyder

Magistrates

Kim Aaron
Brent A. Hall
Tim C. Halloran
Ward Harshbarger, III
Pete C. Lopez
Jack Pauley
Joseph L. Shelton
Michael C. Sisson
Traci L. Strickland
Paris Workman
Julie M. Yeager

Circuit Clerk

Cathy Gatson

Magistrate Clerk

Angel Cincinnati

Chief Adult Probation Officer

Judy Jones

Chief Juvenile Probation Officer

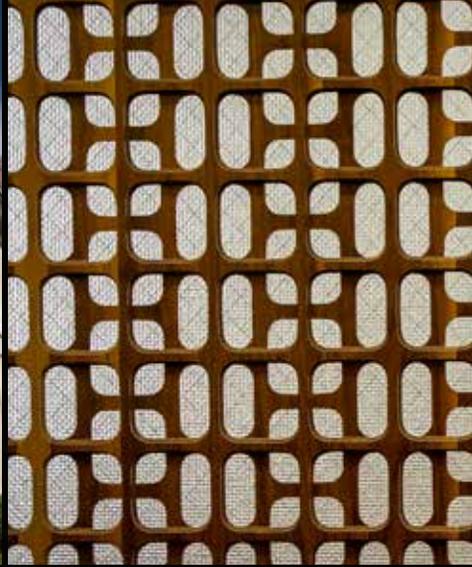
R. Keith Stewart

Kanawha County Judicial Building

111 Court Street
Charleston, WV 25301
304-357-0440

Kanawha County Magistrate Court

Kanawha County Judicial Building
111 Court Street
Charleston, WV 25301
304-357-0400



LEWIS COUNTY

The Lewis County Courthouse in Weston was built in 1887 of grey stone and brick. It is the county's third. Although fire destroyed the second courthouse in 1886, all records were saved. Most judicial offices moved to a new, two-story judicial annex in 2013.

Circuit Judge
Thomas H. Keadle
(Retired January 31, 2013)
Kurt W. Hall, *Chief Judge*
(Took office August 9, 2013)

Family Court Judge
Robert Reed Sowa

Magistrates
Roger D. Clem, Jr.
Michael R. Gissy

Circuit Clerk
John Hinzman

Magistrate Clerk
Carolyn S. Williams
(Retired September 30, 2013)
Edith Browning
(Took office October 1, 2013)

Chief Probation Officer
Serena Peterson

Lewis County Courthouse Annex
117 Court Street
Weston, WV 26452
304-269-8210

Lewis County Magistrate Court
111 Court Street
Weston, WV 26452
304-269-8230

Court Expenditures for 2013

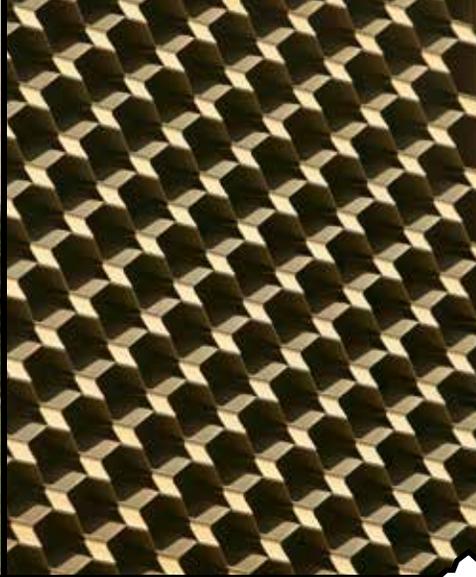
Circuit Court.....	\$ 679,243
Family Court	47,248
Magistrate Court.....	709,305
Total	\$1,435,796

Courthouse Facilities Improvement Authority Grant
(replace gutters, shingles, and downspouts on old jail)..... \$38,629

There were 702 cases filed in Lewis County Circuit Court in 2013. Of those, 75.9 percent were civil cases, 18.3 percent were criminal cases, and 5.8 percent were juvenile cases. Court filings increased 16.4 percent compared to 2012. Lewis County is part of the Twenty-Sixth Judicial Circuit, which also includes Upshur County.

During 2013, 253 new cases were filed in Lewis County Family Court, a decrease of 12.2 percent compared to 2012. There were also eighty-three modification and forty-two contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted nine marriages in 2013. Lewis County is part of the Seventeenth Family Court Circuit, which also includes Braxton and Upshur Counties.

In 2013, there were 4,435 cases filed in Lewis County Magistrate Court, an increase of 5.8 percent compared to 2012. Of those 2013 filings, 75.8 percent were criminal cases, 10 percent were special proceedings, and 14.2 percent were civil cases.



LINCOLN COUNTY

The Lincoln County Courthouse in Hamlin was completed in 1964. It is at least the third to serve the county. An earlier courthouse burned in 1909, along with all county land records to that time.

Court Expenditures for 2013

Circuit Court.....	\$ 1,406,293
Family Court	448,729
Magistrate Court.....	500,862
Total	\$ 2,355,884

Courthouse Facilities Improvement Authority Grant (repair exterior mortar).....	\$83,704
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There were 702 cases filed in Lincoln County Circuit Court in 2013. Of those, 54.3 percent were civil cases, 20.1 percent were criminal cases, and 25.6 percent were juvenile cases. Court filings increased 14.5 percent compared to 2012. Lincoln County is part of the Twenty-Fifth Judicial Circuit, which also includes Boone County.

During 2013, 461 new cases were filed in Lincoln County Family Court, a decrease of 17.8 percent compared to 2012. There were also 176 modification and 293 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judges conducted fourteen marriages in 2013. Lincoln County is part of the Tenth Family Court Circuit, which also includes Boone County.

In 2013, there were 4,456 cases filed in Lincoln County Magistrate Court, one case more than in 2012. Of those, 73.7 percent were criminal cases, 23 percent were special proceedings, and 3.3 percent were civil cases.

Circuit Judges

Jay M. Hoke, *Chief Judge*
William S. Thompson

Family Court Judges

Scott E. Elswick
Cynthia L. Jarrell

Magistrates

Mona Dell Snodgrass
Sophia J. Tully

Circuit Clerk

Charlie Brumfield

Magistrate Clerk

D. Kay Adkins

Chief Probation Officer

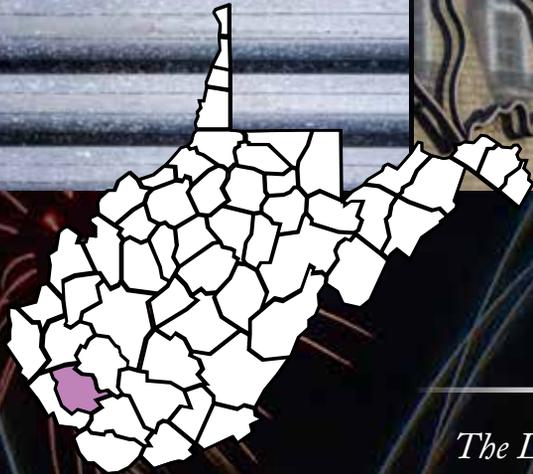
Jerry Swanson

Lincoln County Courthouse

8000 Court Avenue
Hamlin, WV 25523
304-824-7887 ext. 239

Lincoln County Magistrate Court

8000 Court Avenue
Hamlin, WV 25523
304-824-5001 ext. 235



LOGAN COUNTY

The Logan County Courthouse in the town of Logan was built in 1965, the fourth since the Civil War. An earlier structure was burned by Union troops, along with all records.

Circuit Judges

Roger L. Perry, *Chief Judge*
Eric H. O'Briant

Family Court Judges

Kelly Gilmore Codispoti
Jason D. Harwood

Magistrates

Leonard Codispoti
Jeffrey S. Lane
Dwight A. Williamson

Circuit Clerk

Vickie Kolota

Magistrate Clerk

Deeanna J. Briggs

Chief Probation Officer

Charles Brown

Logan County Courthouse

300 Stratton Street
Logan, WV 25601
304-792-8550

Logan County Magistrate Court

300 Stratton Street
Logan, WV 25601
304-792-8651 or 8650

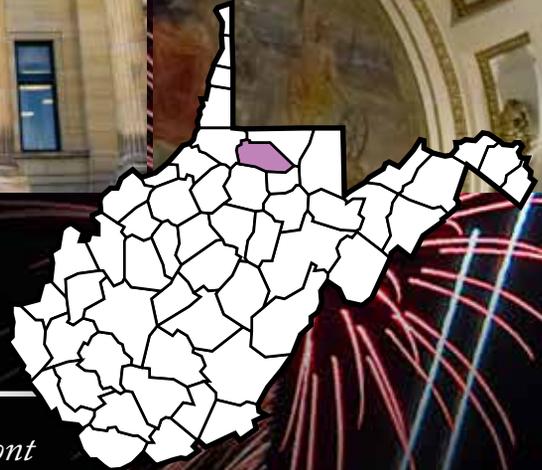
Court Expenditures for 2013

Circuit Court.....	\$ 2,507,196
Family Court	633,470
Magistrate Court.....	920,209
Total	\$ 4,060,875

There were 1,199 cases filed in Logan County Circuit Court in 2013. Of those, 50 percent were civil cases, 26.9 percent were criminal cases, and 23.1 percent were juvenile cases. Court filings increased 10.1 percent compared to 2012. Logan County comprises the Seventh Judicial Circuit.

During 2013, 930 new cases were filed in Logan County Family Court, a decrease of 8.9 percent compared to 2012. There were also 325 modification and 162 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted thirty-nine marriages in 2013. Logan County makes up the Ninth Family Court Circuit.

In 2013, there were 9,575 cases filed in Logan County Magistrate Court, an increase of 5.3 percent from 2012. Of those, 79.3 percent were criminal cases, 16.4 percent were special proceedings, and 4.3 percent were civil cases.



MARION COUNTY

Marion County's courthouse was built in Fairmont between 1897 and 1900 of Cleveland sandstone. The county's second courthouse, it features a stained-glass rotunda and stained-glass dome in the third-floor courtroom.

Court Expenditures for 2013

Circuit Court.....	\$ 2,327,990
Family Court	358,998
Magistrate Court.....	990,640
Total	\$ 3,677,627

There were 1,466 cases filed in Marion County Circuit Court in 2013. Of those, 63.1 percent were civil cases, 21.8 percent were criminal cases, and 15.1 percent were juvenile cases. Court filings decreased 3.7 percent compared to 2012. Marion County comprises the Sixteenth Judicial Circuit.

During 2013, 715 new cases were filed in Marion County Family Court, a decrease of 14 percent compared to 2012. There were also 189 modification and 138 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted one marriage in 2013. Marion County makes up the Nineteenth Family Court Circuit.

In 2013, there were 7,055 cases filed in Marion County Magistrate Court, a decrease of 3.2 percent from 2012. Of those, 71.7 percent were criminal cases, 15.9 percent were special proceedings, and 12.4 percent were civil cases.

Circuit Judges

David R. Janes, *Chief Judge*
Michael J. Aloï

Family Court Judge

Amy J. Swisher

Magistrates

Mark M. Hayes
Melissa R. Linger
Hank E. Middlemas
Cathy L. Reed-Vanata

Circuit Clerk

Barbara Core
(Retired August 30, 2013)
Rhonda Starn
(Took office August 31, 2013)

Magistrate Clerk

Cathy L. Gower

Chief Probation Officer

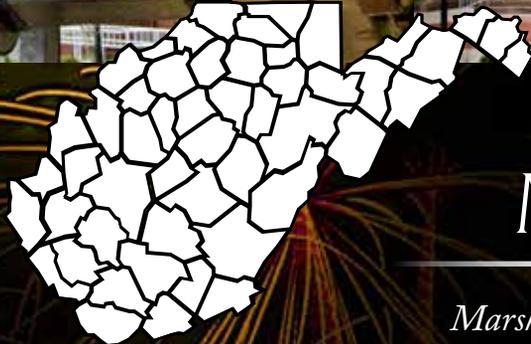
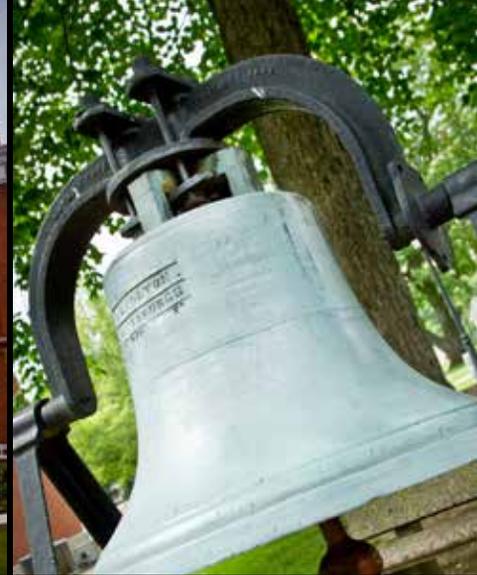
Thomas Carpenter

Marion County Courthouse

219 Adams Street, Room 211
Fairmont, WV 26554
304-367-5360

Marion County Magistrate Court

200 Jackson Street, Room 211
Fairmont, WV 26554
304-367-5330



MARSHALL COUNTY

Marshall County's courthouse in Moundsville, the county's second, was built in the mid-1870s. Originally in the Romanesque style, it has been altered to a Colonial Revival appearance complete with two-story entrance portico with pediment. A matching red brick addition was built in 1974.

Circuit Judges

Mark A. Karl, Jr., *Chief Judge*
David W. Hummel

Family Court Judge

Robert C. Hicks

Magistrates

David M. Buzzard
Mark A. Kerwood
Dave E. McLaughlin

Circuit Clerk

David Ealy

Magistrate Clerk

Vickie D. Best
(Retired October 31, 2013)
Christopher M. DeMuth
(Took office November 1, 2013)

Chief Probation Officer

John Lantz

Marshall County Courthouse

600 Seventh Street
Moundsville, WV 26041
304-845-2130

Marshall County Magistrate Court

511 Sixth Street
Moundsville, WV 26041
304-845-4811

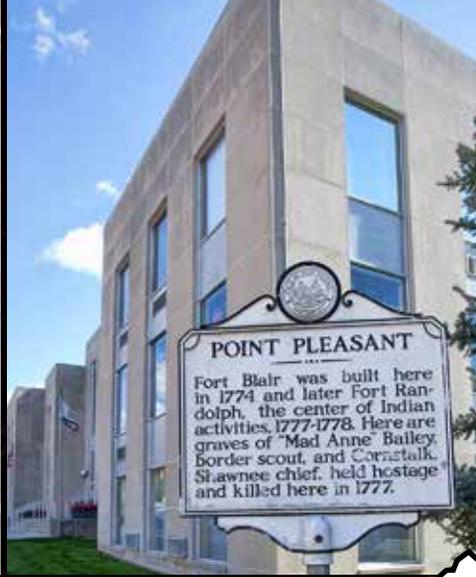
Court Expenditures for 2013

Circuit Court.....	\$ 1,958,930
Family Court	35,246
Magistrate Court.....	811,963
Total	\$ 2,806,140

There were 785 cases filed in Marshall County Circuit Court in 2013. Of those, 61.1 percent were civil cases, 19.4 percent were criminal cases, and 19.5 percent were juvenile cases. Court filings decreased 5 percent compared to 2012. Marshall County is part of the Second Judicial Circuit, which also includes Tyler and Wetzel Counties.

During 2013, 488 new cases were filed in Marshall County Family Court, a decrease of 4.5 percent compared to 2012. There were also 175 modification and ninety-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted eight marriages in 2013. Marshall County is part of the Second Family Court Circuit, which also includes Tyler and Wetzel Counties.

In 2013, there were 4,098 cases filed in Marshall County Magistrate Court, a decrease of 6 percent from 2012. Of those, 71.9 percent were criminal cases, 14.7 percent were special proceedings, and 13.4 percent were civil cases.



MASON COUNTY

The Mason County Courthouse, completed in Point Pleasant in 1956, is the county's second. There is an impression cut into the side of the sandstone building depicting an image of the first courthouse, which was on the same site.

Court Expenditures for 2013

Circuit Court.....	\$ 1,010,253
Family Court	376,968
Magistrate Court.....	514,249
Total	\$ 1,901,470

There were 584 cases filed in Mason County Circuit Court in 2013. Of those, 58.7 percent were civil cases, 22.6 percent were criminal cases, and 18.7 percent were juvenile cases. Court filings decreased 1.2 percent compared to 2012. Mason County is part of the Fifth Judicial Circuit, which also includes Calhoun, Jackson, and Roane Counties.

During 2013, 432 new cases were filed in Mason County Family Court, a decrease of 25.6 percent compared to 2012. There were also 109 modification and seventy contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted thirty-one marriages in 2013. Mason County is part of the Fifth Family Court Circuit, which also includes Jackson and Wirt Counties.

In 2013, there were 4,231 cases filed in Mason County Magistrate Court, an increase of 18.9 percent from 2012. Of those, 82.7 were criminal cases, 12 percent were special proceedings, and 5.3 percent were civil cases.

Circuit Judges

Thomas C. Evans, III, *Chief Judge*
David W. Nibert

Family Court Judges

Rebecca Stafford Cornett
Constance Fisher Thomas

Magistrates

Cheryl M. Ross
Gail L. Roush

Circuit Clerk

Bill Withers

Magistrate Clerk

Brenda L. Baldwin

Chief Probation Officer

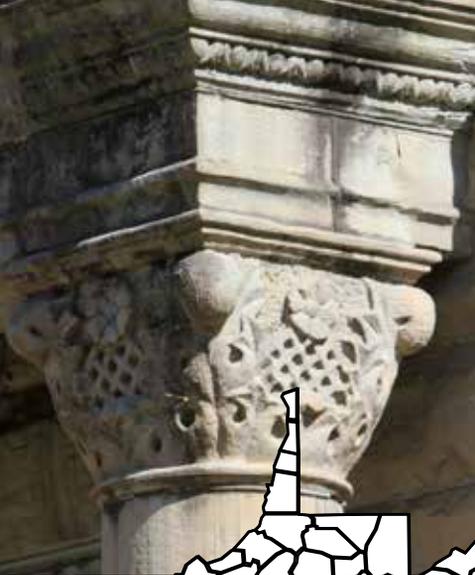
Kelli Guarrieri

Mason County Courthouse

200 Sixth Street
Point Pleasant, WV 25550
304-675-4400

Mason County Magistrate Court

200 Sixth Street
Point Pleasant, WV 25550
304-675-6840



McDOWELL COUNTY

The McDowell County Courthouse in Welch was built in 1894 of Berea stone and is used by one of the county's two circuit judges. An annex was added in 1908, and a wing was added in 1961. In the early 1980s a post office was renovated into a courthouse annex to house the second circuit judge and the prosecutor's office. Magistrate court and family court are in a separate building.

Circuit Judges

Booker T. Stephens, Chief Judge
Rudolph J. Murensky, II

Family Court Judges

Anthony Bisaha
Lisa K. Clark
Mary Ellen Griffith

Magistrates

Steve L. Cox
Daniel W. Mitchell
James R. VanDyke

Circuit Clerk

Francine Spencer

Magistrate Clerk

Janet L. England

Chief Probation Officer

Diana Castle (Appointed June 12, 2013)

McDowell County Courthouse

90 Wyoming Street, Suite 201
Welch, WV 24801
304-436-8535

McDowell County Magistrate Court

105 Wyoming Street
Welch, WV 24801
304-436-8587

Court Expenditures for 2013

Circuit Court.....	\$ 1,612,057
Family Court	153,871
Magistrate Court.....	724,532
Total	\$ 2,490,460

Courthouse Facilities Improvement Authority Grant (electrical distribution system).....	\$100,000
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There were 846 cases filed in McDowell County Circuit Court in 2013. Of those, 44.2 percent were civil cases, 33.8 percent were criminal cases, and 22 percent were juvenile cases. Court filings increased 11.2 percent compared to 2012. McDowell County comprises the Eighth Judicial Circuit.

During 2013, 552 new cases were filed in McDowell County Family Court, a decrease of 6.3 percent compared to 2012. There were also 170 modification and 112 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. A family court judge conducted one marriage in 2013. McDowell County is in the Twelfth Family Court Circuit, which also includes Mercer County.

In 2013, there were 4,705 cases filed in McDowell County Magistrate Court, an increase of 5.2 percent from 2012. Of those, 73.3 percent were criminal cases, 23.9 percent were special proceedings, and 2.8 percent were civil cases.



MERCER COUNTY

The Mercer County Courthouse was built in Princeton in 1931. The county's fifth courthouse is made of sandstone. Two earlier courthouses burned, one ignited by Confederate troops.

Court Expenditures for 2013

Circuit Court.....	\$ 3,635,647
Family Court	1,211,423
Magistrate Court.....	1,303,969
Total	\$ 6,151,039

Courthouse Facilities Improvement Authority Grant (replace rood on lower section of courthouse)	\$71,600
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There were 2,404 cases filed in Mercer County Circuit Court in 2013. Of those, 50.4 percent were civil cases, 30.6 percent were criminal cases, and 19 percent were juvenile cases. Court filings decreased 11.7 percent compared to 2012. Mercer County comprises the Ninth Judicial Circuit.

During 2013, 1,751 new cases were filed in Mercer County Family Court, a decrease of 0.5 percent compared to 2012. There were also 497 modification and 250 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Mercer County is in the Twelfth Family Court Circuit, which also includes McDowell County.

In 2013, there were 14,419 cases filed in Mercer County Magistrate Court, a decrease of 7.3 percent from 2012. Of those, 62.4 percent were criminal cases, 20.9 percent were special proceedings, and 16.7 percent were civil cases.

Circuit Judges

Derek C. Swope, *Chief Judge*
Omar J. Aboulhosn
William J. Sadler

Family Court Judges

Anthony Bisaha
Lisa K. Clark
Mary Ellen Griffith

Magistrates

James E. Dent
Sandra J. Dorsey
Michael D. Flanigan
Richard D. Fowler
Susan C. Honaker

Circuit Clerk

Julie Ball

Magistrate Clerk

Donna J. Arnold

Chief Probation Officer

Joseph Allen

Mercer County Courthouse

1501 Main Street
Princeton, WV 24740
304-487-8323

Mercer County Magistrate Court

Courthouse Annex
120 Scott Street, Suite 103
Princeton, WV 24740
304-431-7115



MINERAL COUNTY



The Romanesque Revival Mineral County Courthouse in Keyser is the county's original courthouse and was built around 1868 of brick and stone. Additions in 1895 and 1955 expanded employee working space. The interior features intricately carved woodwork throughout.

Circuit Judges

Philip B. Jordan, Chief Judge
Lynn A. Nelson

Family Court Judge

Glen R. Stotler

Magistrates

David C. Harman
Carolyn S. Roby

Circuit Clerk

Krista J. Dixon

Magistrate Clerk

Billie L. Simpson

Chief Probation Officer

Jerome DiBacco

Mineral County Courthouse

150 Armstrong Street
Keyser, WV 26726
304-788-1562

Mineral County Magistrate Court

105 West Street
Keyser, WV 26726
304-788-2625

Court Expenditures for 2013

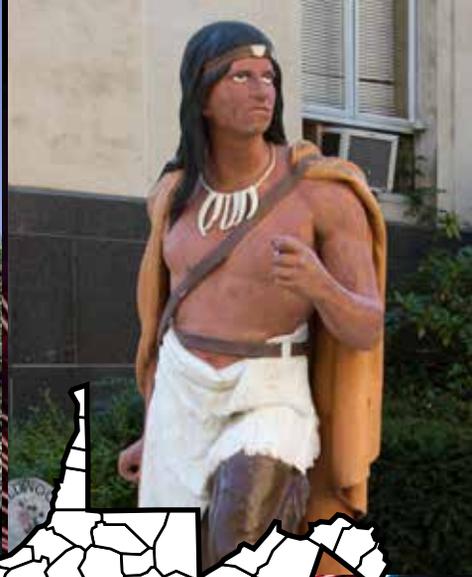
Circuit Court.....	\$ 1,162,941
Family Court	43,488
Magistrate Court.....	457,336
Total	\$ 1,663,764

Courthouse Facilities Improvement Authority Grant (replace two sections of roof and one cornice).....	\$54,880
Court Security Fund Grant	\$29,000

There were 505 cases filed in Mineral County Circuit Court in 2013. Of those, 47.1 percent were civil cases, 44.4 percent were criminal cases, and 8.5 percent were juvenile cases. Court filings decreased 20.3 percent compared to 2012. Mineral County is part of the Twenty-First Judicial Circuit, which also includes Grant and Tucker Counties.

During 2013, 400 new cases were filed in Mineral County Family Court, an increase of 0.5 percent compared to 2012. There were also 145 modification and eighty-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Mineral County is part of the Twenty-Third Family Court Circuit, which also includes Hampshire and Morgan Counties.

In 2013, there were 3,490 cases filed in Mineral County Magistrate Court, a decrease of 20.3 percent from 2012. Of those, 77.8 were criminal cases, 11.3 percent were special proceedings, and 10.9 percent were civil cases.



MINGO COUNTY

The Mingo County Courthouse in Williamson, finished in 1966, has a façade of smooth Indiana limestone with dark granite between floors, around the door, and around the base. The sixties modern design of the county's second courthouse can be seen throughout the interior of the sleek building.

Court Expenditures for 2013

Circuit Court.....	\$ 831,311
Family Court	286,431
Magistrate Court.....	672,427
Total	\$ 1,790,169
Court Security Grant Fund	\$23,238

There were 910 cases filed in Mingo County Circuit Court in 2013. Of those, 39.9 percent were civil cases, 43.6 percent were criminal cases, and 16.5 percent were juvenile cases. Court filings decreased 9.8 percent compared to 2012. Mingo County comprises the Thirtieth Judicial Circuit.

During 2013, 1,041 new cases were filed in Mingo County Family Court, an increase of 2.6 percent compared to 2012. There were also 140 modification and seventy-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted six marriages in 2013. Mingo County makes up the Eighth Family Court Circuit.

In 2013, there were 6,278 cases filed in Mingo County Magistrate Court, a decrease of one case compared to 2012. Of those, 77.9 percent were criminal cases, 18.7 percent were special proceedings, and 3.4 percent were civil cases.

Circuit Judge

Michael Thornsbury, *Chief Judge*
(Resigned August 15, 2013)

Senior Status Judge John L. Cummings and
Senior Status Justice Thomas E. McHugh
(Serving temporarily beginning August 15, 2013)

Family Court Judge

Miki J. Thompson

Magistrates

Pamela S. Newsome
Deloris D. "Dee" Sidebottom
Dallas Lee Toler
(Resigned October 9, 2013)

Senior Status Magistrate Kim Blair
(Serving temporarily beginning October 21, 2013)

Circuit Clerk

Grant Preece

Magistrate Clerk

William T. "Terry" Sanders

Chief Probation Officer

Marcia Price

Mingo County Courthouse

75 East Second Avenue
Williamson, WV 25661
304-235-0320

Mingo County Magistrate Court

Logan Street and First Avenue
Williamson, WV 25661
304-235-2445



MONONGALIA COUNTY

The red brick Monongalia County Courthouse in Morgantown, the county's fifth courthouse, was built in 1891. It was renovated and a large annex was added in 1976.

Circuit Judges

Susan B. Tucker, *Chief Judge*
 Russell M. Clawges, Jr.
 Phillip Gaujot

Family Court Judges

Patricia Tolle Hill
 Randal A. Minor

Magistrates

Sandra K. Holepit
 Hershel R. Mullins
 James E. Nabors
 Darris J. Summers

Circuit Clerk

Jean Friend

Magistrate Clerk

Caroline A. Stoker
(Resigned October 1, 2013)
 Cheryl A. Travinski
(Took office October 29, 2013)

Chief Probation Officer

Leisa D. Robinson

Monongalia County Courthouse

243 High Street, Room 110
 Morgantown, WV 26505
 304-291-7240

**Monongalia County
 Magistrate Court**

265 Spruce Street
 Morgantown, WV 26505
 304-291-7296

Court Expenditures for 2013

Circuit Court.....	\$ 3,112,481
Family Court	654,666
Magistrate Court.....	1,214,935
Total.....	\$ 4,982,082

There were 2,384 cases filed in Monongalia County Circuit Court in 2013. Of those, 79.4 percent were civil cases, 14.9 percent were criminal cases, and 5.7 percent were juvenile cases. Court filings increased 11 percent compared to 2012. Monongalia County comprises the Seventeenth Judicial Circuit.

During 2013, 1,021 new cases were filed in Monongalia County Family Court, a decrease of 13.5 percent compared to 2012. There were also 234 modification and 120 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted forty-nine marriages in 2013. Monongalia County is part of the Twentieth Family Court Circuit, which also includes Preston County.

In 2013, there were 16,159 cases filed in Monongalia County Magistrate Court, a decrease of 6 percent from 2012. Of those, 77.1 percent were criminal cases, 9.7 percent were special proceedings, and 13.2 percent were civil cases.



MONROE COUNTY

Monroe County's courthouse in Union is the county's third courthouse. It is constructed of locally manufactured bricks on the same site as the earlier courthouses and was completed in 1881.

Court Expenditures for 2013

Circuit Court.....	\$ 612,288
Family Court	40,218
Magistrate Court.....	442,741
Total	\$ 1,095,247
Court Security Grant Fund	\$ 118,008

There were 304 cases filed in Monroe County Circuit Court in 2013. Of those, 48.4 percent were civil cases, 29.6 percent were criminal cases, and 22 percent were juvenile cases. Court filings increased 28.8 percent compared to 2012. Monroe County is part of the Thirty-First Judicial Circuit, which also includes Summers County.

During 2013, 265 new cases were filed in Monroe County Family Court, a decrease of 18 percent compared to 2012. There were also thirty modification and twenty-four contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Monroe County is part of the Fifteenth Family Court Circuit, which also includes Greenbrier County.

In 2013, there were 1,443 cases filed in Monroe County Magistrate Court, a decrease of 18 percent from 2012. Of the 2013 filings, 71.2 percent were criminal cases, 22.5 percent were special proceedings, and 6.3 percent were civil cases.

Circuit Judge

Robert A. Irons, *Chief Judge*

Family Court Judge

David M. Sanders

Magistrates

Nancy P. Crews
Kevin L. Miller

Circuit Clerk

Leta Gullette-Comer

Magistrate Clerk

Elizabeth D. Kountz

Chief Probation Officer

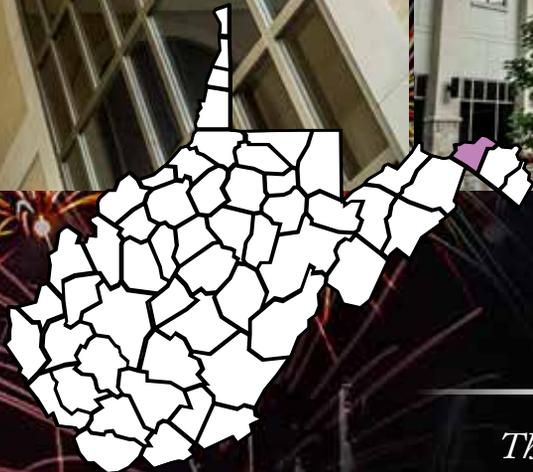
Karen Childs

Monroe County Courthouse

216 Main Street
Union, WV 24983
304-772-3017

Monroe County Magistrate Court

Union Fire Hall
Greenhill Road
Union, WV 24983
304-772-3321



MORGAN COUNTY

The Morgan County Courthouse is the county's fourth and the state's newest. Completed in 2010, it replaced a building on the same location that was destroyed by fire in 2006. The county's first courthouse also burned. The contemporary, three-story structure features a cupola with a clock tower and a metal roof with spire.

Circuit Judges

Christopher C. Wilkes, *Chief Judge*
Michael Douglas Lorensen
David H. Sanders
Gray Silver, III
John C. Yoder

Family Court Judge

Glen R. Stotler

Magistrates

Kermit M. Ambrose
Gregory L. Miller

Circuit Clerk

Kimberly Hanback

Magistrate Clerk

Cynthia F. Stotler

Chief Probation Officer

Mark Hofe

Morgan County Courthouse

77 Fairfax Street, Room 202
Berkeley Springs, WV 25411
304-258-8554

Morgan County Magistrate Court

111 Fairfax Street
Berkeley Springs, WV 25411
304-258-8631

Court Expenditures for 2013

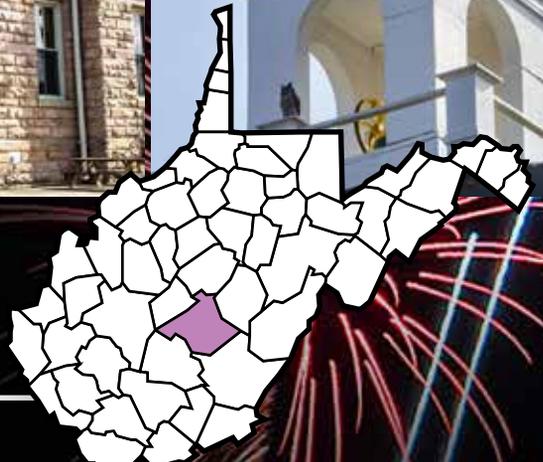
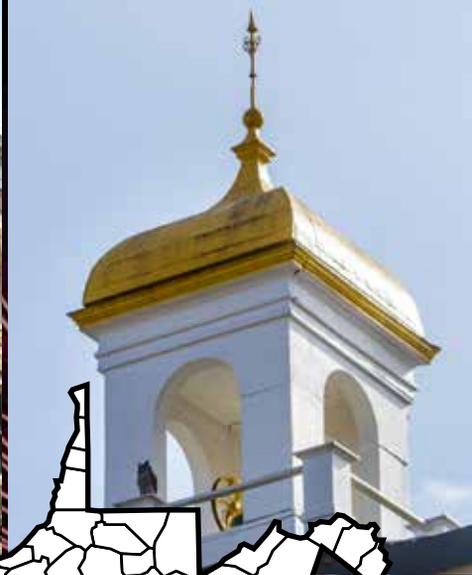
Circuit Court.....	\$ 461,316
Family Court	289,911
Magistrate Court.....	463,996
Total	\$1,215,223

Courthouse Facilities Improvement Authority Grant
(payment on new courthouse)..... \$ 80,000

There were 419 cases filed in Morgan County Circuit Court in 2013. Of those, 55.8 percent were civil cases, 27 percent were criminal cases, and 17.2 percent were juvenile cases. Court filings decreased 0.7 percent compared to 2012. Morgan County is part of the Twenty-Third Judicial Circuit, which also includes Berkeley and Jefferson Counties.

During 2013, 214 new cases were filed in Morgan County Family Court, an increase of 4.4 percent compared to 2012. There were also sixty-six modification and forty-nine contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge also conducted twelve marriages in 2013. Morgan County is part of the Twenty-Third Family Court Circuit, which also includes Hampshire and Mineral Counties.

In 2013, there were 3,489 cases filed in Morgan County Magistrate Court, a decrease of 2 percent from 2012. Of those, 64 percent were criminal cases, 7.1 percent were special proceedings, and 28.9 percent were civil cases.



NICHOLAS COUNTY

The Nicholas County Courthouse in Summersville was completed in 1898. The stone structure, the county's second courthouse, has a large bell in its cupola. The courtroom was completely renovated in 1998.

Court Expenditures for 2013

Circuit Court.....	\$ 1,138,664
Family Court	321,695
Magistrate Court.....	707,834
Total	\$ 2,168,193

Courthouse Facilities Improvement Authority Grant
(replace HVAC in courthouse).....\$100,000

There were 647 cases filed in Nicholas County Circuit Court in 2013. Of those, 55.2 percent were civil cases, 21 percent were criminal cases, and 23.8 percent were juvenile cases. Court filings increased 4.4 percent compared to 2012. Nicholas County comprises the Twenty-Eighth Judicial Circuit.

During 2013, 551 new cases were filed in Nicholas County Family Court, a decrease of 13.6 percent compared to 2012. There were also 122 modification and eighty-seven contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted twenty-nine marriages in 2013. Nicholas County is part of the Sixteenth Family Court Circuit, which also includes Clay County.

In 2013, there were 6,289 cases filed in Nicholas County Magistrate Court, an increase of 2.6 percent from 2012. Of those, 78.8 percent were criminal cases, 17.1 percent were special proceedings, and 4.1 percent were civil cases.

Circuit Judge

Gary L. Johnson, *Chief Judge*

Family Court Judge

Donald K. Bischoff

Magistrates

Sarah Meadows Brown
John D. Morton, Jr.
Doren W. Plummer

Circuit Clerk

Debbie Facemire

Magistrate Clerk

Loriene L. Green

Chief Probation Officer

Roger Beverage
(Retired July 31, 2013)

Michael Williams
(Appointed October 1, 2013)

Nicholas County Courthouse

700 Main Street
Summersville, WV 26651
304-872-7810

Nicholas County Magistrate Court

511 Church Street
Summersville, WV 26651
304-872-7829



OHIO COUNTY

The City-County Building in Wheeling is the only combined municipal government and county judicial facility in West Virginia. It was completed in 1960 and encompasses a city block. It is the fourth building to be used as a courthouse in Wheeling.

Circuit Judges

- James P. Mazzone, Chief Judge
- Martin J. Gaughan
- David J. Sims
- Ronald E. Wilson

Family Court Judges

- Joyce Dumbaugh Chernenko
- William F. Sinclair

Magistrates

- Charles W. Murphy
- Patricia L. Murphy
- Harry A. Radcliffe
- Joseph E. Roxby

Circuit Clerk

- Brenda L. Miller

Magistrate Clerk

- Gerald O. Ames, Jr.

Chief Probation Officer

- Jim Lee
(Retired October 31, 2013)
- William Ball
(Appointed November 1, 2013)

Ohio County City/County Building

1500 Chapline Street
Wheeling, WV 26003
304-234-3611

Ohio County Magistrate Court

Ohio County Courthouse Annex
26 Fifteenth Street
Wheeling, WV 26003
304-234-3672

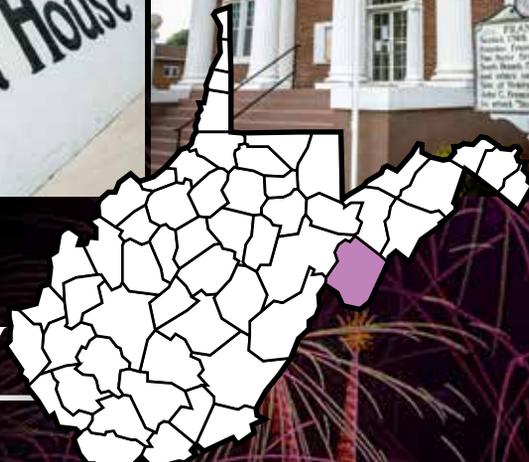
Court Expenditures for 2013

Circuit Court.....	\$ 1,776,908
Family Court	646,626
Magistrate Court.....	1,089,089
Total	\$ 3,512,622

There were 1,317 cases filed in Ohio County Circuit Court in 2013. Of those, 77 percent were civil cases, 10.2 percent were criminal cases, and 12.8 percent were juvenile cases. Court filings decreased 3.9 percent compared to 2012. Ohio County is part of the First Judicial Circuit, which also includes Brooke and Hancock Counties.

During 2013, 545 new cases were filed in Ohio County Family Court, a decrease of 14.7 percent compared to 2012. There were also eighty modification and 107 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted ten marriages in 2013. Ohio County is part of the First Family Court Circuit, which also includes Brooke and Hancock Counties.

In 2013, there were 9,192 cases filed in Ohio County Magistrate Court, an increase of 9.6 percent from 2012. Of those, 81.6 percent were criminal cases, 8.2 percent were special proceedings, and 10.2 percent were civil cases.



PENDLETON COUNTY

Pendleton County's courthouse in Franklin was completed in 1926. The red brick structure fronted by six large columns with Ionic capitals is the county's third courthouse. The second burned.

Court Expenditures for 2013

Circuit Court.....	\$ 236,187
Family Court	41,490
Magistrate Court.....	432,888
Total	\$ 710,566

Courthouse Facilities Improvement Authority Grant (replace half of courthouse roof).....	\$ 100,000
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There were 110 cases filed in Pendleton County Circuit Court in 2013. Of those, 70.9 percent were civil cases, 17.3 percent were criminal cases, and 11.8 percent were juvenile cases. Court filings decreased 12 percent compared to 2012. Pendleton County is part of the Twenty-Second Judicial Circuit, which also includes Hampshire and Hardy Counties.

During 2013, eighty-five new cases were filed in Pendleton County Family Court, an increase of 16.4 percent compared to 2012. There were also twenty-seven modification and twenty-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted two marriages in 2013. Pendleton County is part of the Twenty-Fifth Family Court Circuit, which also includes Grant and Hardy Counties.

In 2013, there were 900 cases filed in Pendleton County Magistrate Court, an increase of 16.3 percent from 2012. Of those, 82.8 percent were criminal cases, 8.6 percent were special proceedings, and 8.6 percent were civil cases.

Circuit Judges

Charles E. Parsons, *Chief Judge*
 Donald H. Cookman
(Retired January 23, 2013)
 H. Charles Carl, III
(Took office August 16, 2013)

Family Court Judge

Amanda Hatfield See

Magistrates

Andrew M. Hinkle
 Kevin E. Puffenberger

Circuit Clerk

Shalee Wilburn

Magistrate Clerk

Judy L. Grimm

Chief Probation Officer

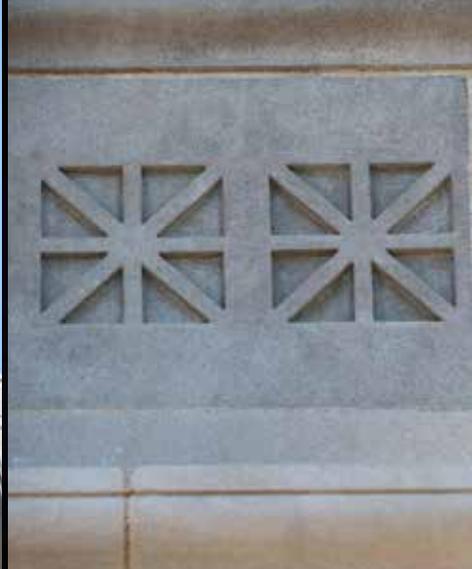
John Rohrbaugh

Pendleton County Courthouse

100 South Main Street
 Franklin, WV 26807
 304-358-7067

Pendleton County Magistrate Court

100 South Main Street
 Franklin, WV 26807
 304-358-2343 or 2344



PLEASANTS COUNTY

The Pleasants County Courthouse was built in St. Marys in 1924 after the first courthouse had to be torn down due to damage from a lightning strike in 1923. The brick Neoclassical-Revival style building sits on a hill overlooking the town. The interior features detailed oak wood trim.

Circuit Judge

Timothy L. Sweeney, Chief Judge

Family Court Judges

Brian C. Dempster
C. Darren Tallman

Magistrates

Kathy M. Elder
Randy Nutter

Circuit Clerk

Millie Farnsworth

Magistrate Clerk

Lisa R. Taylor

Chief Probation Officer

Kristen Layfield
(Appointed July 10, 2013)

Pleasants County Courthouse

301 Court Lane
St. Marys, WV 26170
304-684-3513

Pleasants County Magistrate Court

301 Court Lane, Room B-6
St. Marys, WV 26170
304-684-7197

Court Expenditures for 2013

Circuit Court.....	\$ 777,082
Family Court	13,692
Magistrate Court.....	414,057
Total	\$1,204,831

There were 150 cases filed in Pleasants County Circuit Court in 2013. Of those, 61.3 percent were civil cases, 15.3 percent were criminal cases, and 23.4 percent were juvenile cases. Court filings decreased 4.5 percent compared to 2012. Pleasants County is part of the Third Judicial Circuit, which also includes Doddridge and Ritchie Counties.

During 2013, 113 new cases were filed in Pleasants County Family Court, a decrease of 10.3 percent compared to 2012. There were also twenty-three modification and twelve contempt proceedings in cases reopened during the year, which were not counted as new cases filed. No data was provided for this county on marriages. Pleasants County is part of the Third Family Court Circuit, which also includes Wood County.

In 2013, there were 1,784 cases filed in Pleasants County Magistrate Court, an increase of 54.2 percent from 2012. Of those, 86.7 percent were criminal cases, 8 percent were special proceedings, and 5.3 percent were civil cases.



POCAHONTAS COUNTY

Pocahontas County's courthouse was built in Marlinton in 1895. The hand-made clay structure with a bell tower was renovated in 1972 and an addition was added. It is the county's second courthouse, but the first in Marlinton. The original courthouse was in Huntersville.

Court Expenditures for 2013

Circuit Court.....	\$ 97,390
Family Court	17,225
Magistrate Court.....	408,375
Total	\$ 522,991

There were 337 cases filed in Pocahontas County Circuit Court in 2013. Of those, 45.1 percent were civil cases, 35.6 criminal cases, and 19.3 percent were juvenile cases. Court filings increased 12.3 percent compared to 2012. Pocahontas County is part of the Eleventh Judicial Circuit, which also includes Greenbrier County.

During 2013, 125 new cases were filed in Pocahontas County Family Court, a decrease of 12.6 percent compared to 2012. There were also thirty-three modification and seventy-nine contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted one marriage in 2013. Pocahontas County is part of the Twenty-Seventh Family Court Circuit, which also includes Webster County.

In 2013, there were 1,300 cases filed in Pocahontas County Magistrate Court, an increase of 2.4 percent from 2012. Of those, 73.8 percent were criminal cases, 16.3 percent were special proceedings, and 9.9 percent were civil cases.

Circuit Judges

James J. Rowe, Chief Judge
Joseph C. Pomponio, Jr.

Family Court Judge

Jeffrey L. Hall

Magistrates

Cynthia D. Broce-Kelley
Carrie E. Wilfong

Circuit Clerk

Connie Carr

Magistrate Clerk

Virginia L. Wagner

Chief Probation Officer

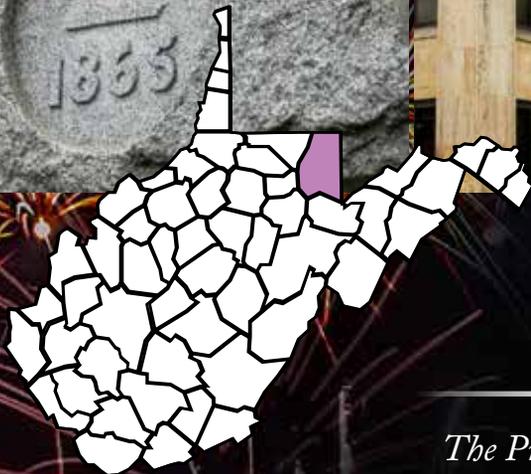
Fred Taylor, II

Pocahontas County Courthouse

900 Tenth Avenue
Marlinton, WV 24954
304-799-4604

Pocahontas County Magistrate Court

900 Tenth Avenue
Marlinton, WV 24954
304-799-6603



PRESTON COUNTY

The Preston County Courthouse, constructed of buff-colored Indiana limestone, was dedicated in August 1934 on the same site as its predecessor. It is the county's fifth courthouse. In 2008, all courts moved into the courthouse and other county offices moved into an annex.

Circuit Judge

Lawrance S. Miller, Jr., Chief Judge

Family Court Judges

Patricia Tolle Hill
Randal A. Minor

Magistrates

Lewis F. Ault
Harold E. Jenkins, Jr.
Janice K. Snider

Circuit Clerk

Betsy Castle

Magistrate Clerk

Donna J. Metheny

Chief Probation Officer

Crystal K. Thomas

Preston County Courthouse

101 West Main Street
Room 301
Kingwood, WV 26537
304-329-0047

Preston County Magistrate Court

101 West Main Street
Room 201
Kingwood, WV 26537
304-329-2764 ext. 12 or 18

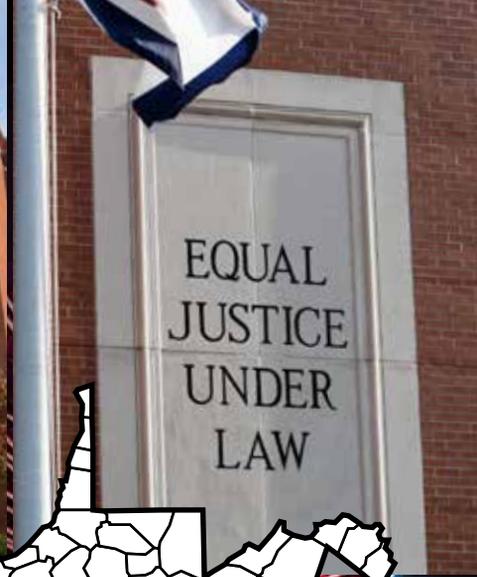
Court Expenditures for 2013

Circuit Court.....	\$ 1,066,167
Family Court	22,286
Magistrate Court.....	724,859
Total	\$ 1,813,312
Court Security Fund Grant	\$ 12,500

There were 668 cases filed in Preston County Circuit Court in 2013. Of those, 60.2 percent were civil cases, 29.3 percent were criminal cases, and 10.5 percent were juvenile cases. Court filings decreased 8 percent compared to 2012. Preston County comprises the Eighteenth Judicial Circuit.

During 2013, 559 new cases were filed in Preston County Family Court, an increase of 0.4 percent compared to 2012. There were also 161 modification and 110 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted thirty marriages in 2013. Preston County is part of the Twentieth Family Court Circuit, which also includes Monongalia County.

In 2013, there were 5,239 cases filed in Preston County Magistrate Court, a decrease of 9 percent from 2012. Of those, 80.6 percent were criminal cases, 8.5 percent were special proceedings, and 10.9 percent were civil cases.



PUTNAM COUNTY

The red brick Putnam County Courthouse in Winfield was built in 1900 with an octagon-shaped tower. The building is the county's second courthouse. A separate Judicial Building that now houses all of the court system offices was built in 1997.

Court Expenditures for 2013

Circuit Court.....	\$ 2,063,747
Family Court	291,221
Magistrate Court.....	804,176
Total	\$ 3,159,144

Courthouse Facilities Improvement Authority Grant (replace windows on three sides of building).....	\$100,000
Court Security Fund Grant	\$14,750

There were 1,164 cases filed in Putnam County Circuit Court in 2013. Of those, 57 percent were civil cases, 29.8 percent criminal cases, and 13.2 percent were juvenile cases. Court filings decreased 2.7 percent compared to 2012. Putnam County comprises the Twenty-Ninth Judicial Circuit.

During 2013, 731 new cases were filed in Putnam County Family Court, a decrease of 18.6 percent compared to 2012. There were also 165 modification and 133 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Putnam County makes up the Twenty-Sixth Family Court Circuit.

In 2013, there were 6,620 cases filed in Putnam County Magistrate Court, a decrease of 9 percent from 2012. Of those, 65.5 percent were criminal cases, 22.7 percent were special proceedings, and 11.8 percent were civil cases.

Circuit Judges

Phillip M. Stowers, Chief Judge
Joseph K. Reeder

Family Court Judge

William M. Watkins
(Went on leave January 4, 2013; Suspended March 26, 2013; Retired December 1, 2013)

Temporary Family Court
Judge Deloris J. Nibert

(Serving temporarily beginning January 4, 2013)

Magistrates

Elizabeth K. Brown
Linda J. Hunt
Scot A. Lawrence

Circuit Clerk

Ronnie Matthews

Magistrate Clerk

Darry M. Casto

Chief Probation Officer

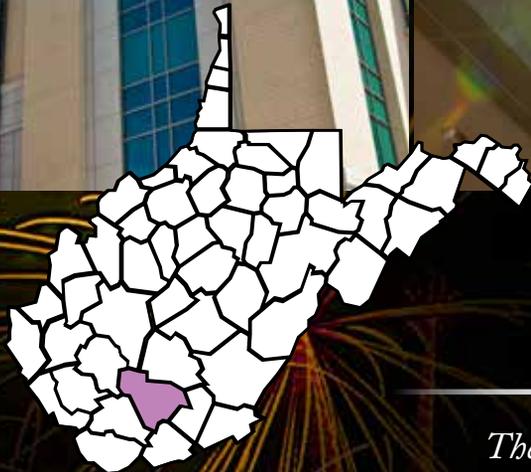
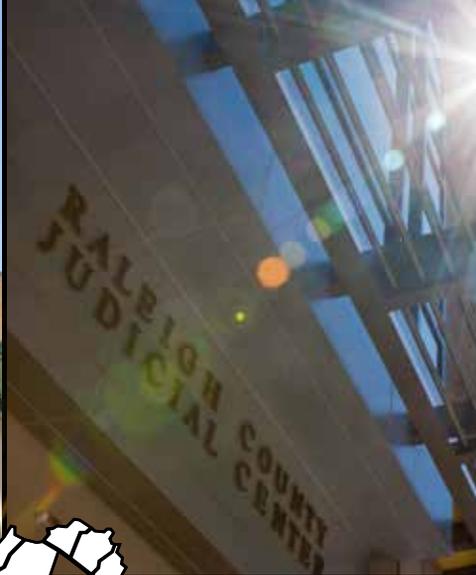
Brenda Shrader

Putnam County Judicial Building

3389 Winfield Road
Winfield, WV 25213
304-586-0203

Putnam County Magistrate Court

Putnam County
Judicial Building
3389 Winfield Road
Winfield, WV 25213
304-586-0234 or 0270



RALEIGH COUNTY

The Raleigh County Courthouse in Beckley, the third building to serve as a courthouse, was completed in 1937 around an 1893 courthouse structure. In 2012 all judicial courts and offices moved nearby into a new Raleigh County Judicial Center, the style of which evokes that of the historic courthouse and Beckley's Federal Courthouse across the street.

Circuit Judges

H. L. Kirkpatrick III, *Chief Judge*
Robert A. Burnside, Jr.
John A. Hutchison

Family Court Judges

K. Bruce Lazenby
H. Suzanne McGraw
Louise G. Staton

Magistrates

Charles R. Humphrey
Richard D. Jones
Stephen D. Massie
Tomi S. Peck
Gregory W. Tanner

Circuit Clerk

Paul Flanagan

Magistrate Clerk

Rebecca J. "Becky" Black

Chief Adult Probation Officer

Walter Harper

Chief Juvenile Probation Officer

Timothy Erwin

Raleigh County Judicial Annex

222 Main Street
Beckley, WV 25801
304-255-9135

Raleigh County Magistrate Court

Raleigh County Judicial Annex
222 Main Street
Beckley, WV 25801
304-255-9197

Court Expenditures for 2013

Circuit Court.....	\$2,955,012
Family Court	1,004,463
Magistrate Court.....	1,308,612
Total	\$ 5,268,087

Courthouse Facilities Improvement Authority Grant (replace spandrels and repair medallions).....	\$79,617
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There were 3,443 cases filed in Raleigh County Circuit Court in 2013. Of those, 41.2 percent were civil cases, 39 percent were criminal cases, and 19.8 percent were juvenile cases. Court filings increased 28.1 percent compared to 2012. Raleigh County comprises the Tenth Judicial Circuit.

During 2013, 1,402 new cases were filed in Raleigh County Family Court, a decrease of 3 percent compared to 2012. There were also 397 modification and 403 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted thirty-four marriages in 2013. Raleigh County is in the Thirteenth Family Court Circuit, which also includes Summers and Wyoming Counties.

In 2013, there were 17,798 cases filed in Raleigh County Magistrate Court, an increase of 7 percent from 2012. Of those, 76.5 percent were criminal cases, 16.6 percent were special proceedings, and 6.9 percent were civil cases.



RANDOLPH COUNTY

Randolph County's courthouse in Elkins was built between 1902 and 1906. It is made of hand-cut stone and decorated by stained glass. The building is the second in Elkins to serve as a courthouse. Three others in Beverly were previously used for court sessions.

Court Expenditures for 2013

Circuit Court.....	\$ 1,212,071
Family Court	349,712
Magistrate Court.....	714,433
Total	\$ 2,276,216

There were 687 cases filed in Randolph County Circuit Court in 2013. Of those, 49.2 percent were civil cases, 35.4 percent were criminal cases, and 15.4 percent were juvenile cases. Court filings increased 14.7 percent compared to 2012. Randolph County comprises the Twentieth Judicial Circuit.

During 2013, 555 new cases were filed in Randolph County Family Court, a decrease of 15.5 percent compared to 2012. There were also 128 modification and ninety-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted four marriages in 2013. Randolph County is in the Twenty-Second Family Court Circuit, which also includes Tucker County.

In 2013, there were 7,557 cases filed in Randolph County Magistrate Court, an increase of 10.3 percent from 2012. Of those, 70.8 percent were criminal cases, 9.5 percent were special proceedings, and 19.7 percent were civil cases.

Circuit Judge

Jaymie Godwin Wilfong, Chief Judge

Family Court Judge

Michele W. Good

Magistrates

Robert R. Elbon, Jr.
George M. "Mike" Riggleman
Benjamin E. Shepler

Circuit Clerk

Phil Riggleman

Magistrate Clerk

Phyllis A. Phares

Chief Probation Officer

Heidi Hawkins

Randolph County Courthouse

2 Randolph Avenue
Elkins, WV 26241
304-636-2765

Randolph County Magistrate Court

11 Randolph Avenue
Elkins, WV 26241
304-636-5885



RITCHE COUNTY

The Ritche County Courthouse built in Harrisville in 1922 is the county's third courthouse. The portico and tower were added in 1923, the clock in 1924. It has been remodeled several times and an annex has been incorporated into the original structure.

Circuit Judge

Timothy L. Sweeney, Chief Judge

Family Court Judge

Larry S. Whited

Magistrates

Teresa C. Harper
David Wayne Haugh

Circuit Clerk

Rose Ellen Cox

Magistrate Clerk

Janis L. Mahaney

Chief Probation Officer

Kristen Layfield
(Appointed July 10, 2013)

Ritche County Courthouse

115 East Main Street
Harrisville, WV 26362
304-643-2164 ext. 229

Ritche County Magistrate Court

130 North Court Street
Harrisville, WV 26362
304-643-4409

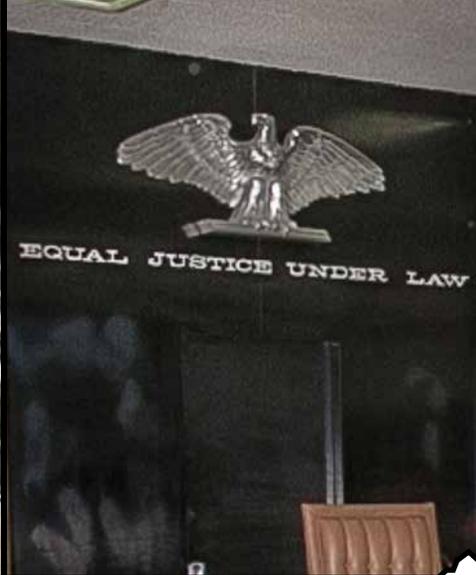
Court Expenditures for 2013

Circuit Court.....	\$ 207,062
Family Court	32,429
Magistrate Court.....	423,020
Total	\$ 662,511

There were 142 cases filed in Ritche County Circuit Court in 2013. Of those, 54.2 percent were civil cases, 18.3 percent were criminal cases, and 27.5 percent were juvenile cases. Court filings decreased 13.9 percent compared to 2012. Ritche County is part of the Third Judicial Circuit, which also includes Doddridge and Pleasants Counties.

During 2013, 167 new cases were filed in Ritche County Family Court, a decrease of 7.2 percent compared to 2012. There were also forty-eight modification and fifty-two contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted four marriages. Ritche County is part of the Fourth Family Court Circuit, which also includes Calhoun, Gilmer, and Roane Counties.

In 2013, there were 2,342 cases filed in Ritche County Magistrate Court, an increase of 13.4 percent from 2012. Of those, 80 percent were criminal cases, 6.7 percent were special proceedings, and 13.3 percent were civil cases.



ROANE COUNTY

Roane County has had three courthouses in Spencer, all on the same site, built in 1856, 1887, and 1965.

The first two courthouses burned and all records were destroyed.

Court Expenditures for 2013

Circuit Court.....	\$ 302,688
Family Court	289,891
Magistrate Court.....	586,440
Total	\$ 1,179,019

Courthouse Facilities Improvement Authority Grant (replace and upgrade lighting)	\$29,826
Court Security Fund Grant	\$53,273

There were 342 cases filed in Roane County Circuit Court in 2013. Of those, 46.8 percent were civil cases, 36.8 percent were criminal cases, and 16.4 percent were juvenile cases. Court filings increased 6.9 percent compared to 2012. Roane County is part of the Fifth Judicial Circuit, which also includes Calhoun, Jackson, and Mason Counties.

During 2013, 273 new cases were filed in Roane County Family Court, a decrease of 13.1 percent compared to 2012. There were also 103 modification and sixty-four contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted eleven marriages in 2013. Roane County is part of the Fourth Family Court Circuit, which also includes Calhoun, Gilmer, and Ritchie Counties.

In 2013, there were 2,871 cases filed in Roane County Magistrate Court, a decrease of 1.7 percent from 2012. Of those, 71.2 percent were criminal cases, 22.4 percent were special proceedings, and 6.4 percent were civil cases.

Circuit Judges

Thomas C. Evans, III, *Chief Judge*
David W. Nibert

Family Court Judge

Larry S. Whited

Magistrates

Jason D. Bennett
Ronald A. White

Circuit Clerk

Andrea Stockner

Magistrate Clerk

Rita Helbig

Chief Probation Officer

Kelli Guarrieri

Roane County Courthouse

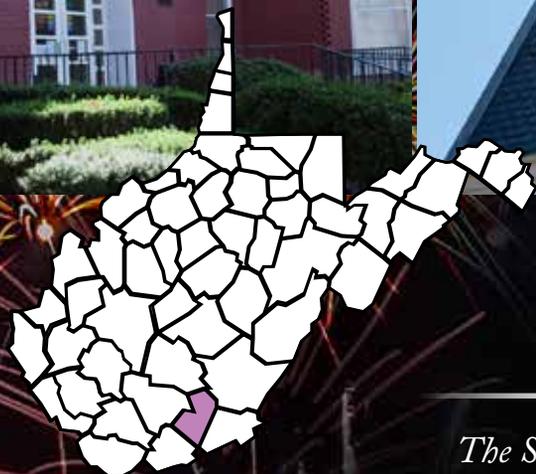
200 Main Street
Spencer, WV 25276
304-927-2750

Roane County Magistrate Court

201 Main Street
Spencer, WV 25276
304-927-4750



SUMMERS COUNTY



The Summers County Courthouse in Hinton was built in 1874 from red bricks fired on the grounds. The original building is still in use, as is a large annex built in 1939. The interior features a spiral, cast-iron stairway in the northwest tower that leads to the second-floor courtroom.

Circuit Judge

Robert A. Irons, Chief Judge

Family Court Judges

K. Bruce Lazenby
H. Suzanne McGraw
Louise G. Staton

Magistrates

Jack K. Hellems
Jack W. "Bill" Jeffries, Jr.

Circuit Clerk

Linda Brumit

Magistrate Clerk

Vicki S. Jones

Chief Probation Officer

Karen Childs

Summers County Courthouse

120 Ballengee Street
Hinton, WV 25951
304-466-7103

Summers County Magistrate Court

123 Temple Street
Hinton, WV 25951
304-466-7129

Court Expenditures for 2013

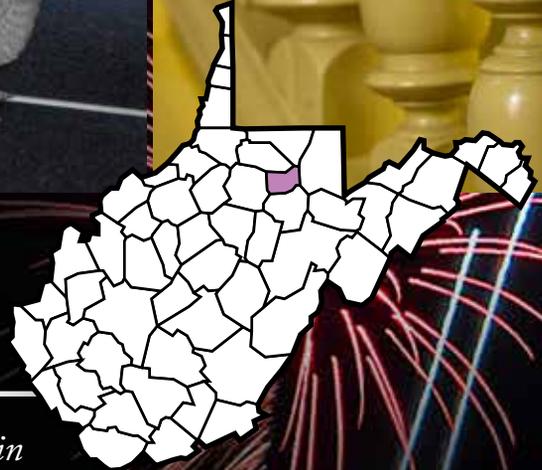
Circuit Court.....	\$ 425,903
Family Court	27,767
Magistrate Court.....	404,571
Total	\$ 858,241

Courthouse Facilities Improvement Authority Grant
(replace six roof turrets).....\$ 80,000

There were 310 cases filed in Summers County Circuit Court in 2013. Of those, 31.9 percent were civil cases, 47.1 percent were criminal cases, and 21 percent were juvenile cases. Court filings increased 5.8 percent compared to 2012. Summers County is part of the Thirty-First Judicial Circuit, which also includes Monroe County.

During 2013, 215 new cases were filed in Summers County Family Court, a decrease 4.4 percent compared to 2012. There were also eighty-three modification and forty-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. A family court judge conducted one marriage in 2013. Summers County is part of the Thirteenth Family Court Circuit, which also includes Raleigh and Wyoming Counties.

In 2013, there were 1,491 cases filed in Summers County Magistrate Court, a decrease of 3.7 percent from 2012. Of those, 83.2 percent were criminal cases, 11.7 percent were special proceedings, and 5.1 percent were civil cases.



TAYLOR COUNTY

Taylor County's courthouse in Grafton was built in 1880 of brown brick. Many of the original Victorian details have now been removed from the building, which is the county's second courthouse. An annex was added in 1975.

Court Expenditures for 2013

Circuit Court.....	\$ 1,000,578
Family Court	14,156
Magistrate Court.....	448,923
Total	\$ 1,463,656

There were 385 cases filed in Taylor County Circuit Court in 2013. Of those, 46 percent were civil cases, 33.5 percent were criminal cases, and 20.5 percent were juvenile cases. Court filings decreased 0.8 percent compared to 2012. Taylor County is part of the Nineteenth Judicial Circuit, which also includes Barbour County.

During 2013, 186 new cases were filed in Taylor County Family Court, a decrease of 11.8 percent compared to 2012. There were also eighty-three modification and forty-five contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted eleven marriages in 2013. Taylor County is part of the Twenty-First Family Court Circuit, which also includes Barbour County.

In 2013, there were 1,995 cases filed in Taylor County Magistrate Court, a decrease of 1.2 percent from 2012. Of those, 77 percent were criminal cases, 10.8 percent were special proceedings, and 12.2 percent were civil cases.

Circuit Judge

Alan D. Moats, Chief Judge

Family Court Judge

Beth Longo

Magistrates

James L. Lucas

Rick R. Reese

Circuit Clerk

Vonda M. Reneman

Magistrate Clerk

Brenda L. Vance

Chief Probation Officer

Bonnie Viani

Taylor County Courthouse

214 West Main Street

Room 105

Grafton, WV 26354

304-265-2480

Taylor County Magistrate Court

Courthouse Annex

214 West Main Street

Grafton, WV 26354

304-265-5762



TUCKER COUNTY

The red brick Tucker County Courthouse in Parsons was built in 1898, after years of dispute over the location of the Tucker County seat. Most judicial offices moved to a new, four-story courthouse annex in 2013. The annex's architectural style complements the Romanesque and Flemish styles of the courthouse and adjacent former jailer's residence.

Circuit Judges

Phillip B. Jordan, *Chief Judge*
Lynn A. Nelson

Family Court Judge

Michele W. Good

Magistrates

Riley H. Barb
Carol D. Irons

Circuit Clerk

Donna Jean Bava

Magistrate Clerk

Paula J. McDonald

Chief Probation Officer

Jerome DiBacco

Tucker County Courthouse Annex

211 First Street, Suite 403
Parsons, WV 26287
304-478-2606

Tucker County Magistrate Court

211 First Street
Parsons, WV 26287
304-478-2665

Court Expenditures for 2013

Circuit Court.....	\$ 672,137
Family Court	6,983
Magistrate Court.....	426,996
Total	\$ 1,106,115

Courthouse Facilities Improvement Authority Grant
(structural repairs to courthouse attic).....\$ 100,000

There were 122 cases filed in Tucker County Circuit Court in 2013. Of those, 63.9 percent were civil cases, 20.5 percent were criminal cases, and 15.6 percent were juvenile cases. Court filings decreased 9.6 percent compared to 2012. Tucker County is part of the Twenty-First Judicial Circuit, which also includes Grant and Mineral Counties.

During 2013, seventy-five new cases were filed in Tucker County Family Court, a decrease of 8.5 percent compared to 2012. There were also twenty-two modification and eighteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Tucker County is part of the Twenty-Second Family Court Circuit, which also includes Randolph County.

In 2013, there were 1,471 cases filed in Tucker County Magistrate Court, an increase of 28.4 percent from 2012. Of those, 83.4 percent were criminal cases, 4 percent were special proceedings, and 12.6 percent were civil cases.



TYLER COUNTY

Tyler County's courthouse in Middlebourne was built in 1852 as the county's first permanent courthouse. It was expanded in 1922, when the original section and the new wing were both faced with identical brick.

Court Expenditures for 2013

Circuit Court.....	\$ 27,615
Family Court	17,240
Magistrate Court.....	427,690
Total	\$ 472,545

There were 200 cases filed in Tyler County Circuit Court in 2013. Of those, 56.5 percent were civil cases, 25.5 percent were criminal cases, and 18 percent were juvenile cases. Court filings decreased 3.4 percent compared to 2012. Tyler County is part of the Second Judicial Circuit, which also includes Marshall and Wetzel Counties.

During 2013, 134 new cases were filed in Tyler County Family Court, a decrease of 2.2 percent compared to 2012. There were also forty-seven modification and ten contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted ten marriages in 2013. Tyler County is part of the Second Family Court Circuit, which also includes Marshall and Wetzel Counties.

In 2013, there were 990 cases filed in Tyler County Magistrate Court, a decrease of 12.9 from 2012. Of those, 77.9 percent were criminal cases, 12.1 percent were special proceedings, and 10 percent were civil cases.

Circuit Judges

Mark A. Karl, Jr. *Chief Judge*
David W. Hummel

Family Court Judge

Robert C. Hicks

Magistrates

Michael K. Griffin
John E. Roberts

Circuit Clerk

Candy Warner

Magistrate Clerk

Jean Hayes

Chief Probation Officer

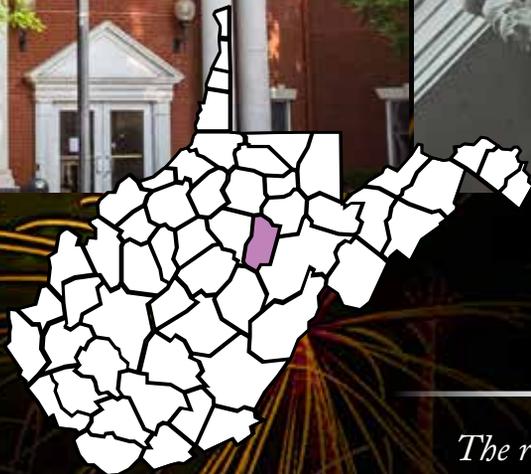
John Lantz

Tyler County Courthouse

121 Main Street
Middlebourne, WV 26149
304-758-4811

Tyler County Magistrate Court

225 Main Street
Middlebourne, WV 26149
304-758-2137



UPSHUR COUNTY

The red brick Upshur County Courthouse in Buckhannon was completed in 1901. The interior was remodeled between 1972 and 1975. It is the county's second courthouse. The J. Dowell Jennings annex was completed in 1995.

Circuit Judge

Thomas H. Keadle
(Retired January 31, 2013)
Kurt W. Hall, *Chief Judge*
(Took office August 9, 2013)

Family Court Judge

Robert Reed Sowa

Magistrates

Juanita E. Adams
John M. Coffman

Circuit Clerk

Brian P. Gaudet

Magistrate Clerk

Angela J. Brady

Chief Probation Officer

Serena Peterson

Upshur County Courthouse

38 West Main Street
Buckhannon, WV 26201
304-472-2370

Upshur County Magistrate Court

38 West Main Street
Room 204
Buckhannon, WV 26201
304-472-2053

Court Expenditures for 2013

Circuit Court.....	\$ 1,096,466
Family Court	47,190
Magistrate Court.....	552,417
Total	\$1,696,073
Court Security Grant Fund	\$ 38,176

There were 515 cases filed in Upshur County Circuit Court in 2013. Of those, 42.5 percent were civil cases, 32.8 percent were criminal cases, and 24.7 percent were juvenile cases. Court filings increased 11.7 percent compared to 2012. Upshur County is part of the Twenty-Sixth Judicial Circuit, which also includes Lewis County.

During 2013, 333 new cases were filed in Upshur County Family Court, a decrease of 20.1 percent compared to 2012. There were also fifty-nine modification and forty-two contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted three marriages in 2013. Upshur County is part of the Seventeenth Family Court Circuit, which also includes Braxton and Lewis Counties.

In 2013, there were 4,849 cases filed in Upshur County Magistrate Court, an increase of 7.3 percent from 2012. Of those, 71 percent were criminal cases, 8 percent were special proceedings, and 21 percent were civil cases.



WAYNE COUNTY

The Wayne County Courthouse in the town of Wayne opened in 1924 and was remodeled extensively in 1976. The structure is the fourth to be built for use as a courthouse. Its immediate predecessor burned in 1921, but records were preserved in a fireproof vault. A family court annex opened in 2013.

Court Expenditures for 2013

Circuit Court.....	\$ 1,851,349
Family Court	513,477
Magistrate Court.....	744,640
Total	\$ 3,109,466

Courthouse Facilities Improvement Authority Grant
(renovate acquired building for magistrate court use).....\$ 100,000

There were 1,419 cases filed in Wayne County Circuit Court in 2013. Of those, 36.4 percent were civil cases, 36.6 percent were criminal cases, and 27 percent were juvenile cases. Court filings increased 7.5 percent compared to 2012. Wayne County comprises the Twenty-Fourth Judicial Circuit.

During 2013, 688 new cases were filed in Wayne County Family Court, an increase of 11.7 percent compared to 2012. There were also 124 modification and 148 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Wayne County makes up the Seventh Family Court Circuit.

In 2013, there were 4,708 cases filed in Wayne County Magistrate Court, a decrease of 14.1 percent from 2012. Of those, 60.2 percent were criminal cases, 18.5 percent were special proceedings, and 21.3 percent were civil cases.

Circuit Judges

James H. Young, Jr., Chief Judge
Darrell Pratt

Family Court Judge

R. Stephen Lewis

Magistrates

John Cavins
David Ferguson
Randall W. Wiles

Circuit Clerk

M. James "Jamie" Ferguson

Magistrate Clerk

Patricia A. Smith

Chief Probation Officer

Ruby Gail Fry

Wayne County Courthouse

700 Hendricks Street
Wayne, WV 25570
304-272-6360

Wayne County Magistrate Court

700 Hendricks Street
Room 301
Wayne, WV 25570
304-272-6388 or 5648



WEBSTER COUNTY

Webster County's Romanesque Revival courthouse in Webster Springs was constructed in 1894 after the county's first courthouse burned in 1888. An addition was completed in the late 1930s. The two-story building has a central, short tower and is faced with rough sandstone.

Circuit Judges

Richard A. Facemire, *Chief Judge*
Jack Alsop

Family Court Judge

Jeffrey L. Hall

Magistrates

Richard S. Robertson
John R. Stone

Circuit Clerk

Jeanie Moore

Magistrate Clerk

Sheila E. Cogar

Chief Probation Officer

Lucy Cruickshanks

Webster County Courthouse

2 Court Square, Room G-4
Webster Springs, WV 26288
304-847-2421

Webster County Magistrate Court

112 Bell Street, Suite A
Webster Springs, WV 26288
304-847-2613

Court Expenditures for 2013

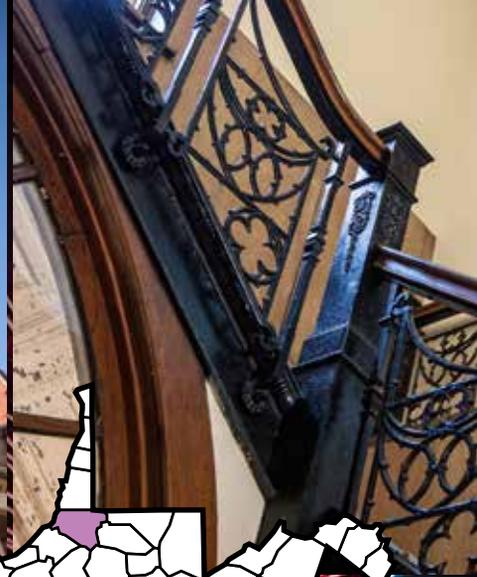
Circuit Court.....	\$ 705,133
Family Court	283,149
Magistrate Court.....	389,218
Total	\$ 1,377,500

Courthouse Facilities Improvement Authority Grant (upgrades to electrical wiring).....	\$ 100,000
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There were 250 cases filed in Webster County Circuit Court in 2013. Of those, 35.6 percent were civil cases, 29.6 were criminal cases, and 34.8 percent were juvenile cases. Court filings increased 22 percent compared to 2012. Webster County is part of the Fourteenth Judicial Circuit, which also includes Braxton, Clay, and Gilmer Counties.

During 2013, 201 new cases were filed in Webster County Family Court, an increase of 2.6 percent compared to 2012. There were also sixty-five modification and ninety-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge also conducted one marriage in 2013. Webster County is part of the Twenty-Seventh Family Court Circuit, which also includes Pocahontas County.

In 2013, there were 1,376 cases filed in Webster County Magistrate Court, a decrease of 7.4 percent from 2012. Of those, 65.8 percent were criminal cases, 29.7 percent were special proceedings, and 4.5 percent were civil cases.



WETZEL COUNTY

The Wetzel County Courthouse was built in New Martinsville in 1902. It is the county's second courthouse and is made of cut stone in the Richardsonian Romanesque style. The courthouse lawn holds a memorial to frontiersman Levi Morgan, whose grandfather, Colonel Morgan Morgan, was the first white settler in West Virginia.

Court Expenditures for 2013

Circuit Court.....	\$ 368,630
Family Court	290,727
Magistrate Court.....	468,511
Total	\$ 1,127,869
Court Security Grant Fund	\$22,052

There were 464 cases filed in Wetzel County Circuit Court in 2013. Of those, 63.1 percent were civil cases, 13.6 percent were criminal cases, and 23.3 percent were juvenile cases. Court filings decreased 5.3 percent compared to 2012. Wetzel County is part of the Second Judicial Circuit, which also includes Marshall and Tyler Counties.

During 2013, 264 new cases were filed in Wetzel County Family Court, a decrease of 7.4 percent compared to 2012. There were also sixty modification and nineteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. The family court judge conducted nine marriages in 2013. Wetzel County is part of the Second Family Court Circuit, which also includes Marshall and Tyler Counties.

In 2013, there were 2,069 cases filed in Wetzel County Magistrate Court, an increase of 23.2 percent from 2012. Of those, 81.9 were criminal cases, 8.9 percent were special proceedings, and 9.2 percent were civil cases.

Circuit Judges

Mark A. Karl, Jr., Chief Judge
David W. Hummel

Family Court Judge

Robert C. Hicks

Magistrates

Judith P. Goontz
Thomas J. Shepherd

Circuit Clerk

Sharon Dulaney

Magistrate Clerk

Cindy D. Adams

Chief Probation Officer

John Lantz

Wetzel County Courthouse

200 Main Street
New Martinsville, WV 26155
304-455-8219

Wetzel County Magistrate Court

303 Main Street
New Martinsville, WV 26155
304-455-5171



WIRT COUNTY

The Wirt County Courthouse in Elizabeth, a yellow brick structure, was completed in 1911 after the county's first courthouse burned in 1910. The courthouse is built on the site of the first.

Circuit Judges

J. D. Beane, *Chief Judge*
Jeffrey B. Reed
Robert A. Waters

Family Court Judges

Rebecca Stafford Cornett
Constance Fisher Thomas

Magistrates

Charles David Roberts
Janey I. Wigal

Circuit Clerk

Carol Frame

Magistrate Clerk

Misty L. Campbell

Chief Adult Probation Officer

Jeffrey Nuckolls

Chief Juvenile Probation Officer

Larry Johnson

Wirt County Courthouse

One Court Street
Elizabeth, WV 26143
304-275-6597

Wirt County Magistrate Court

One Court Street
Elizabeth, WV 26143
304-275-3642

Court Expenditures for 2013

Circuit Court.....	\$ 30,630
Family Court	18,654
Magistrate Court.....	404,932
Total	\$ 454,216

There were 102 cases filed in Wirt County Circuit Court in 2013. Of those, 58.8 percent were civil cases, 17.6 percent were criminal cases, and 23.6 percent were juvenile cases. Court filings decreased 19.7 percent compared to 2012. Wirt County is part of the Fourth Judicial Circuit, which also includes Wood County.

During 2013, 130 new cases were filed in Wirt County Family Court, an increase of 32.7 percent compared to 2012. There were also twenty-nine modification and ten contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Wirt County is part of the Fifth Family Court Circuit, which also includes Jackson and Mason Counties.

In 2013, there were 745 cases filed in Wirt County Magistrate Court, an increase of 18.4 percent from 2012. Of those, 72.2 percent were criminal cases, 20.4 percent were special proceedings, and 7.4 percent were civil cases.



WOOD COUNTY

Wood County's courthouse in Parkersburg is the county's fifth. The modified Romanesque stone building was completed in 1899 but is no longer used as a courthouse. Circuit courts are now housed in the Holmes R. Shaver Wood County Judicial Building; family courts are in the Judge Donald F. Black Courthouse Annex; and magistrate courts are in the Wood County Justice Center.

Court Expenditures for 2013

Circuit Court.....	\$ 3,814,875
Family Court	728,134
Magistrate Court.....	1,132,574
Total	\$ 5,675,582
Courthouse Facilities Improvement Authority (restore exterior balustrades and rails).....	\$28,400
Court Security Grant Fund	\$33,294

There were 1,999 cases filed in Wood County Circuit Court in 2013. Of those, 70.9 percent were civil cases, 12.9 percent were criminal cases, and 16.2 percent were juvenile cases. Court filings decreased 4.3 percent compared to 2012. Wood County is part of the Fourth Judicial Circuit, which also includes Wirt County.

During 2013, 1,801 new cases were filed in Wood County Family Court, a decrease of 4.7 percent compared to 2012. There were also 187 modification and 179 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges conducted thirty-two marriages in 2013. Wood County is part of the Third Family Court Circuit, which also includes Pleasants County.

In 2013, there were 11,774 cases filed in Wood County Magistrate Court, a decrease of 4.7 percent from 2012. Of those, 70.4 percent were criminal cases, 14.5 percent were special proceedings, and 15.1 percent were civil cases.

Circuit Judges

J. D. Beane, *Chief Judge*
Jeffrey B. Reed
Robert A. Waters

Family Court Judges

Brian C. Dempster
C. Darren Tallman

Magistrates

Joe A. Kuhl
Brenda K. Marshall
Joyce S. Purkey
Robin Waters

Circuit Clerk

Carole Jones

Magistrate Clerk

Paulina M. Yearego

Chief Adult Probation Officer

Jeffrey Nuckolls

Chief Juvenile Probation Officer

Larry Johnson

Wood County Judicial Building

2 Government Square
Room 131
Parkersburg, WV 26101
304-424-1700

Wood County Magistrate Court

401 Second Street, Suite 12
Parkersburg, WV 26101
304-422-3444



WYOMING COUNTY

The Wyoming County Courthouse in Pineville was built between 1916 and 1918 of native stone. The county's original courthouse is still in use, as is an annex added in 1958.

Circuit Judge

Warren R. McGraw, *Chief Judge*

Family Court Judges

K. Bruce Lazenby
H. Suzanne McGraw
Louise G. Staton

Magistrates

James R. Boles
Donald C. Cook
Kimberly R. Farmer

Circuit Clerk

David Stover

Magistrate Clerk

Carol D. Garrett
(Retired January 31, 2013)
Tamela D. McCurdy
(Took office February 1, 2013)

Chief Probation Officer

Deborah Wiles

Wyoming County Courthouse

24 Main Avenue
Pineville, WV 24874
304-732-8000

Wyoming County Magistrate Court

44 Cedar Street
Pineville, WV 24874
304-732-8000 ext. 218

Court Expenditures for 2013

Circuit Court.....	\$ 922,356
Family Court	62,099
Magistrate Court.....	835,972
Total	\$1,820,428
Courthouse Facilities Improvement Authority Grant (upgrades to HVAC in courtroom)	
	\$ 30,271
Court Security Fund Grant	\$ 34,048

There were 613 cases filed in Wyoming County Circuit Court in 2013. Of those, 46.2 percent were civil cases, 28.2 percent were criminal cases, and 25.6 percent were juvenile cases. Overall court filings did not change compared to 2012. Wyoming County comprises the Twenty-Seventh Judicial Circuit.

During 2013, 691 new cases were filed in Wyoming County Family Court, an increase of 5 percent compared to 2012. There were also 205 modification and 105 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Family court judges also conducted four marriages in 2013. Wyoming County is part of the Thirteenth Family Court Circuit, which also includes Raleigh and Summers Counties.

In 2013, there were 5,043 cases filed in Wyoming County Magistrate Court, an increase of 21.2 percent from 2012. Of those, 73.8 percent were criminal cases, 22.6 percent were special proceedings, and 3.6 percent were civil cases.