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THE SUPREME COURT OF APPEALS OF WEST VIRGINIA





The Seal of the Court

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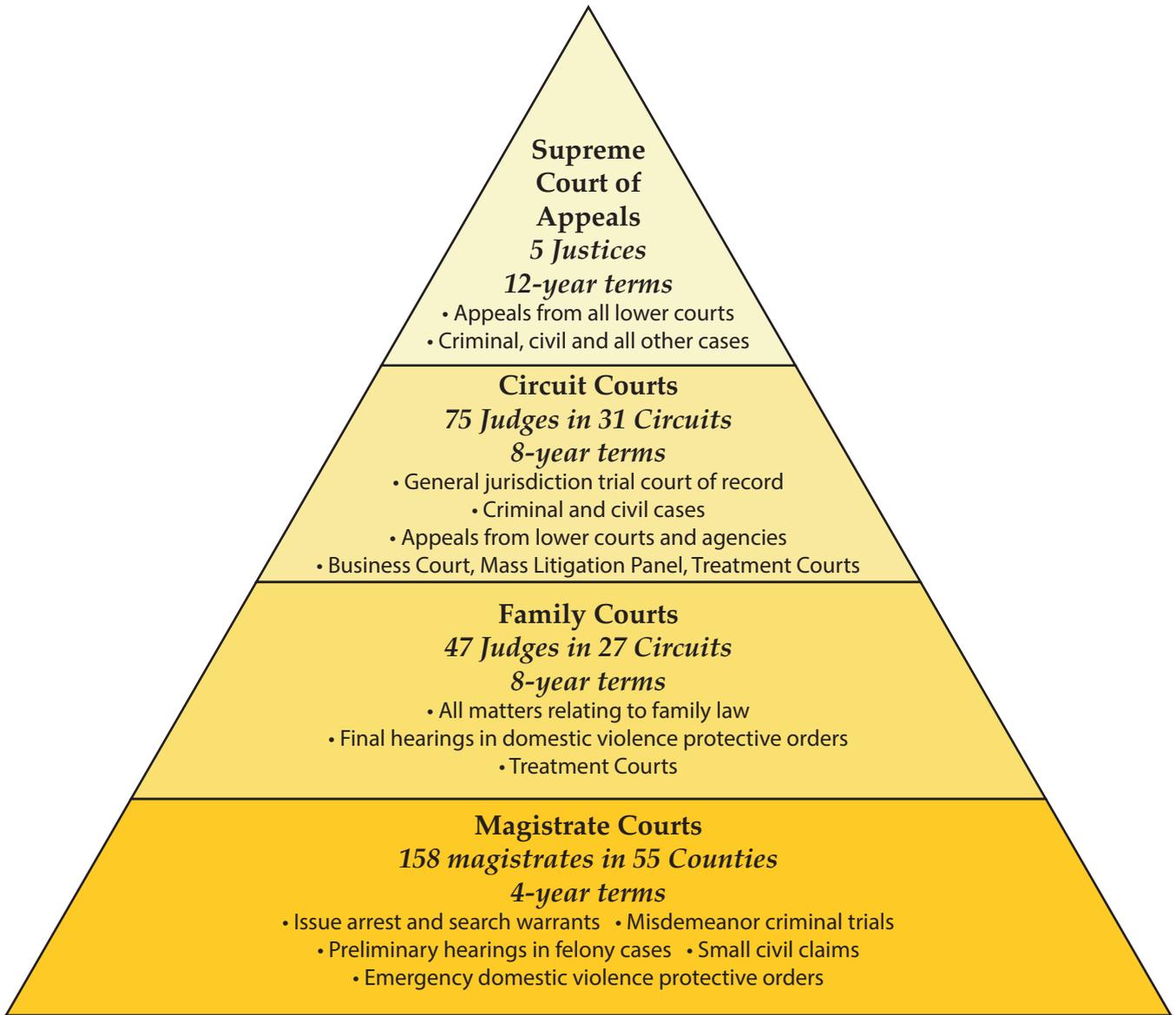
ince 1863, state law has required that the Supreme Court of Appeals of West Virginia have a Seal. For well over one hundred years, the Seal of the Supreme Court was simply an embossed image without color. The creator of this Seal is unknown.

In 2009, the Court added color to the Seal and changed the number of the stars in the battle shield from eighteen to thirty-five, representative of West Virginia being the thirty-fifth state. The current Seal of the Court is shown on the opposite page.

The faded blue and yellow are not only reflective of West Virginia's official state colors of blue and gold, but in their less vibrant state suggest the long-standing tradition of the court system. The goddess Dice – the “Goddess of Justice” – sits immovably upon a bluestone bolder, a rock typical in central Appalachia. The boulder itself is on solid ground. She is, of course, blindfolded, holding the scales with her outstretched right hand. She cradles a sword of justice against her shoulder and seems to hold an American battle shield with her left hand. While it is not unusual for Justice to be depicted with scales and sword, the somewhat less common use of a battle shield seems reflective of West Virginia's founding during the Civil War when the western counties seceded from Virginia, especially since the shield is emblazoned with the union flag. In fact, the stack of Civil War-era cannon balls serves as another war-time element of the Seal and is a fundamental part of the foundation of West Virginia's Justice.

Most important to understanding the symbolism of the Court's Seal is the fact that Justice is sitting, neither standing nor in stride. This clearly is representative of the Judicial Branch's position within government: matters must be brought to the Court where Justice sits to hear them. This branch neither creates nor administers the law; a party must come to her where she sits.

While the creator of the Seal may have had emblematic reasons for the circle of sixty dots and the use of a rope motif for the outer edge of the circle, with this artist's name, those reasons have been lost to history.



The West Virginia Judicial System

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he judiciary is one of three coequal branches of state government, each with separate powers. The legislative branch makes the law. The executive branch enforces the law. The judicial branch interprets and applies the law in cases brought before the courts.

West Virginia became a state on June 20, 1863. The present West Virginia Constitution was ratified in 1872. In 1880, the West Virginia Legislature rewrote the entire judicial article, which the voters adopted.

The most important recent event in the history of the West Virginia judiciary occurred on November 5, 1974, when voters ratified the Judicial Reorganization Amendment, which became effective on January 1, 1976. This amendment ended the justice-of-the-peace system and established a unified court system, uniting all state courts, except municipal courts, into a single system supervised and administered by the Supreme Court of Appeals of West Virginia. The amendment organized the judiciary into three levels: the Supreme Court of Appeals, circuit courts, and magistrate courts. In November 2000, voters passed a constitutional amendment to allow the Legislature to create separate family courts. The new family courts began operating on January 1, 2002.

In 2010, the Supreme Court of Appeals revised the Rules of Appellate Procedure, fundamentally changing the appeal process to provide an appeal of right instead of an appeal by permission. The revised rules are an effective method of providing a full review and a decision on the merits in all properly prepared and filed appeals.

The Supreme Court of Appeals

The Supreme Court of Appeals is West Virginia's highest court and the court of last resort. West Virginia is one of only nine states with a single appellate court. The Supreme Court of Appeals of West Virginia is one of the busiest appellate courts of its type in the United States.

The five Supreme Court Justices hear appeals of decisions over all matters decided in circuit courts, including criminal convictions affirmed on appeal from magistrate court. Workers' compensation appeals are unique and are appealed directly to the Supreme Court from the administrative agency. The Justices also hear appeals of domestic relations decisions decided in family court if both parties agree they will not appeal directly to the circuit court.

Furthermore, the Justices have extraordinary writ powers and original jurisdiction in proceedings of habeas corpus, mandamus, prohibition, and certiorari. They also interpret the laws and Constitutions of West Virginia and the United States.

Although most arguments before the Supreme Court of Appeals are presented by attorneys, unlike trials in lower courts, there are no witnesses, juries, or testimony. Opinions of the Supreme Court of Appeals of West Virginia can be appealed only to the Supreme Court of the United States, which may or may not agree to consider an appeal.

There are two terms of the Court each year. The first term begins on the second Tuesday in January. The second term begins on the first Wednesday in September. The time period between terms is called *sine die*, which is Latin for "without day." When the Court is in session, the Justices hear cases and deliver opinions. At other times, the Justices consider emergency business that comes before the Court.

In addition to its judicial functions, the Supreme Court of Appeals has administrative and regulatory responsibilities. The Court has adopted a Code of Judicial Conduct, Rules for Admission to the Practice of Law, Rules of Professional

Conduct, and Rules of Judicial and Lawyer Disciplinary Procedure. The Court sits in the capital city of Charleston, but may preside in other locations.

The five Justices are elected in nonpartisan elections to twelve-year terms. Justices must have been lawyers for at least ten years. The person who serves as Chief is chosen by a vote of the Court. The Governor appoints Justices to fill vacancies. An appointee who wishes to remain in office must run in the next election.

Following American custom since the 1800s, the Justices wear black robes. Further, as is customary in American courts, the Justices are seated by seniority on the bench. The Chief Justice occupies the center chair. The senior Justice sits to the right of the Chief Justice, the second senior to the Chief Justice's left, and so on, alternating right and left by seniority.

Circuit Courts

Circuit courts are West Virginia's only general jurisdiction trial courts of record. Circuit courts have jurisdiction over all civil cases at law exceeding \$7,500; all cases in equity; proceedings in habeas corpus, mandamus, quo warranto, prohibition, and certiorari; and all felonies and misdemeanors. The circuit courts receive appeals from magistrate court, municipal court, and administrative agencies excluding workers' compensation appeals. The circuit courts also hear appeals of domestic relations decisions decided in family court unless both parties agree to appeal directly to the Supreme Court of Appeals. The circuit courts receive recommended orders from judicial officers who hear mental hygiene matters.

West Virginia's fifty-five counties are divided into thirty-one circuits with seventy-five circuit judges. The circuits range in size from one with seven judges to seven with one judge. Although as few as one or as many as four counties comprise a circuit, each county has a courthouse or other judicial building where a circuit judge presides.

Circuit judges are elected in nonpartisan elections to eight-year terms. They must have practiced law for at least five years. The governor appoints circuit judges to fill vacancies. An appointee who wishes to remain in office must run in the next election.

Family Courts

Family court judges hear cases involving such matters as 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 proceedings. Family court judges also conduct final hearings in civil domestic violence protective order proceedings and may perform marriages. There are forty-seven judges who serve in twenty-seven family court circuits. Family court judges must have practiced law for at least five years. Family court judges run for eight-year terms in nonpartisan elections. The governor appoints family court judges to fill vacancies. Appointees must run in the next election to stay in office.

Mental Health and Hygiene System

Our Mental Health/Hygiene system operates to serve the people of West Virginia in important and distinctive ways. The Circuit Courts have jurisdiction over matters related to involuntary hospitalization, guardianship, and conservatorship, and often handle these matters through the appointment of mental hygiene commissioners. Mental hygiene commissioners are independent practicing lawyers who are appointed to conduct hearings in these matters. There is at least one mental hygiene commissioner in each of West Virginia's thirty-one circuits. Those mental health commissioners have access to a vital resource—the West Virginia Mental Health Registry—which safeguards the population in various ways, such as keeping weapons out of the hands of those afflicted with certain forms of mental illness. This data base is a great resource to not only the mental hygiene commissioners but to law enforcement professionals around the State of West Virginia and nation, including through the FBI National Instant Criminal Background Check System.

Magistrate Courts

There are 158 magistrates statewide, with at least two in every county. Presiding over these trial courts of limited jurisdiction, magistrates issue arrest and search warrants, hear misdemeanor cases, conduct preliminary examinations in felony cases, and hear civil cases with \$10,000 or less in dispute. Magistrates also issue emergency domestic violence protective orders. Magistrates run for four-year terms in nonpartisan elections. They do not have to be lawyers. Circuit judges appoint magistrates to fill vacancies. An appointee who wishes to remain in office must run in the next election.

Municipal Courts

The jurisdiction of municipal courts is constitutionally limited to those cases involving ordinance violations. Municipal courts are administered locally. While appeals may be taken from municipal courts, municipal courts are not part of the Unified Judicial System as defined by Article VIII, §1 of the West Virginia Constitution.

Appellate and Trial Court Clerks

Court clerks ensure the efficient operation of state courts by maintaining dockets and records, handling administrative matters, and serving as goodwill ambassadors to the public. The Clerk of the Supreme Court of Appeals is appointed by the Court. Circuit court clerks are elected in partisan elections in each county to six-year terms.

Administrative Office of the Courts

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

“Drawing Lots”

A Historical Perspective of the West Virginia Supreme Court

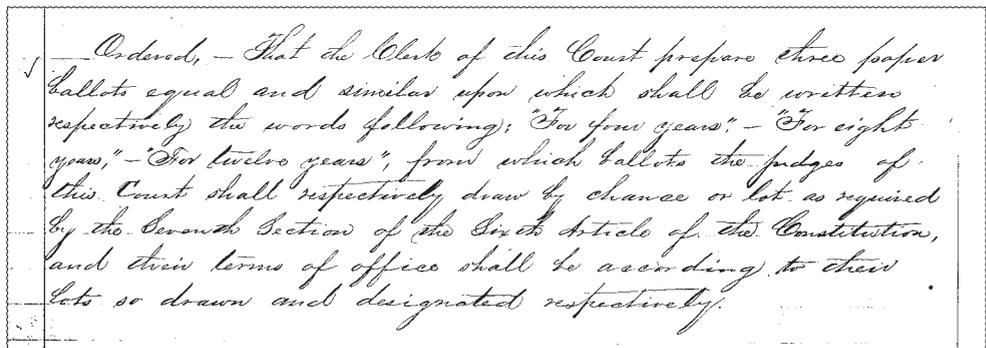
By Former Supreme Court Clerk Rory L. Perry II

The Supreme Court of Appeals of West Virginia has changed a great deal since the state was formed in 1863. Once called judges, members of the Court are now called justices and number five rather than three. Public institutions need to honor tradition; the judiciary has a special duty to remember history because the daily work of deciding disputes rests upon the ability to understand and clarify prior decisions. In West Virginia, Supreme Court terms began with chance drawings whose outcome would have a lasting impact.

On July 9, 1863, just days after the Confederate defeats at Gettysburg and Vicksburg, three judges gathered in a room at the Wheeling courthouse to organize the Supreme Court of the new state of West Virginia. The three men had all played a part in the remarkable events that led to the creation of the state, so the recent Union victories must have been welcome news.

Part of the day was spent taking care of the routine details needed to create and maintain a court: appointing a court crier and a court clerk, authorizing the purchase of books and stationery, and so forth. The main event of the day was a chance drawing of lots.

The three judges had many things in common. Each was a Republican and Union supporter. Each had been a practicing lawyer who became a circuit



Pictured is a page from 1863 order book No. 1.

judge as a result of the June 1861 convention of the restored government of Virginia. The convention imposed certain test oaths upon officeholders; when sitting circuit judges refused to take oaths to support the Union, vacancies were created, and each of the three men had filled one of those vacancies. Each was subsequently elected to be a judge of the Supreme Court, and none knew how long they would serve. The first Constitution of the state required that decision to be made by chance.

The Supreme Court's first recorded order of business was to appoint William A. Harrison of Harrison County as president *pro tempore* "until the lots hereinafter directed shall be drawn; and thereafter the judge who shall draw the shortest term shall be president during his official term," according to early Court records.

As the senior member of the Court at age 66, William Harrison was "of large stature and commanding presence." His "powers as an advocate were of a pre-eminent character," according to the first volume of the West Virginia Reports. Harrison was born in Prince William County, Virginia, and learned the law with his brother-in-law in Winchester, Virginia, before setting up practice in Parkersburg in 1819. After he moved to Clarksburg in 1821, he represented Harrison County for three terms in the Virginia General Assembly. He was an early opponent of secession.

Ralph Lazier Berkshire, then 47, grew up in Monongalia County. He learned the carpentry trade, later read law and was appointed prosecutor. Upon learning of the secession ordinance in April 1861, Berkshire helped organize an impromptu meeting of citizens "to define the position of the loyal people of the county on the momentous issues thus thrust upon them," according to the first volume of West Virginia Reports. Berkshire served on the resolutions committee, and the citizens unanimously endorsed a resolution condemning Virginia's decision to secede from the Union.

The third judge at the gathering in Wheeling was the youngest; James Henry Brown was 44. Just a few years earlier, Brown nearly had been killed in a buggy accident. He recovered to become a vigorous participant in the public



The first West Virginia Capitol in Wheeling



debates about secession, and he later urged division as the only solution remaining at the convention in Wheeling. The turbulence of the times is aptly set forth in this description of Brown's service as a circuit judge in 1861 and 1862, according to the first West Virginia Reports:

He entered at once on the duties of his official office, and amid many perils and great discouragements, held court in every county of his circuit. The records of his courts were captured and carried off or destroyed as fast as he made them, in many of the counties of his circuit, by the rebel raiders who continually made hostile incursions into that part of the State. And on several occasions he narrowly escaped their repeated efforts to capture the Court.

The three judges were joined by Sylvanus Hall, a Marion County lawyer who had been assistant clerk of the Wheeling Constitutional Convention. He was appointed to be the first clerk of the Supreme Court and served in that capacity until 1874.

As required by the Seventh Section of the Sixth Article of the 1863 Constitution, the clerk was directed "to prepare three paper ballots equal and similar upon which shall be written respectively the words following: 'For Four Years,' 'For Eight years,' 'For Twelve Years,' from which ballots the judges of this Court shall respectively draw by chance or lot."

When the lots were drawn, Berkshire drew the short term of four years and served as President of the Court. He continued to serve as president until he was defeated in the 1866 election by Edwin Maxwell. James H. Brown drew the eight-year term and served it fully. William Harrison drew the twelve-year term but resigned in September 1868. Ralph Berkshire became the first person to serve non-consecutive terms on the Court when he was appointed to fill Harrison's unexpired term. Berkshire was later elected to fill the remainder of the term by defeating Matthew Edmiston in the 1868 election. However, the 1872 Constitution effectively ended the twelve-year term won by Berkshire. Both Berkshire and Edmiston were defeated in 1872.

From the available records it does not appear that the Court handled any case-related matters that first day. One other important event did take place, however. The Court admitted attorneys to the practice of law, a precedent that is still followed.

Nine and a half years after the original lots were drawn at the courthouse in Wheeling, the ceremony was repeated again at the state Capitol in Charleston. The 1872 Constitution and implementing acts increased the number of judges on the Court from three to four, and the terms of the existing members of the Court were effectively extinguished.

The judges elected in 1872 were all Democrats and replaced two Republicans. Charles P.T. Moore, having been elected in 1870 and re-elected in 1872, served as temporary president on the basis of seniority. He was joined by the other three elected judges: Alpheus Haymond, James Paull, and John S. Hoffman.

At noon on January 23, 1873, in the presence of Clerk Sylvanus Hall and Governor John J. Jacob, the lots were again drawn. Haymond and Hoffman drew the four-year terms, Paull drew the eight-year term and Moore drew the twelve-year term. Haymond served as President of the Court until his retirement in 1883. Moore served until his retirement in 1881. Paull served only two and a half years until his death in May 1875. Hoffman served until his resignation in June 1876. The Court would continue to operate with four judges until 1903, when the number was increased to five, and the dates for election of the five judges were set.

The chance drawing of lots as required by two constitutions, together with the addition of a fifth member of the Court in 1903, combine to establish the term length and electoral pattern that continues to the present time. The 2008 election included one of the three original seats as well as the fourth seat added in 1872. The 2012 election included another of the original seats and the fifth seat added in 1903. The 2016 election included the final original seat.



Members of the Supreme Court of Appeals 1863-Present



RALPH LAZIER BERKSHIRE
Monongalia County
1863-1866



WILLIAM A. HARRISON
Harrison County
1863-1868



JAMES H. BROWN
Kanawha County
1863-1870



EDWIN MAXWELL
Harrison County
1866-1872



RALPH LAZIER BERKSHIRE
Monongalia County
1868-1872



CHARLES P.T. MOORE
Mason County
1871-1881



JOHN S. HOFFMAN
Harrison County
1873-1876



JAMES PAULL
Ohio County
1873-1875



ALPHEUS F. HAYMOND
Marion County
1873-1882



THOMAS C. GREEN
Jefferson County
1875-1889



MATTHEW EDMISTON
Lewis County
1876



OKEY JOHNSON
Wood County
1877-1888



JAMES FRENCH PATTON
Monroe County
1881-1882



ADAM C. SNYDER
Greenbrier County
1882-1890



SAMUEL WOODS
Barbour County
1883-1888



HENRY BRANNON
Lewis County
1889-1912



JOHN W. ENGLISH
Mason County
1889-1900



DANIEL B. LUCAS
Jefferson County
1890-1892



HOMER A. HOLT
Greenbrier County
1890-1896



MARMADUKE H. DENT
Taylor County
1893-1904



HENRY CLAY McWHORTER
Kanawha County
1897-1908



GEORGE POFFENBARGER
Mason County
1901-1922



WARREN MILLER
Jackson County
1903-1904



FRANK COX
Monongalia County
1905-1907



JOSEPH M. SANDERS
Mercer County
1905-1907



WILLIAM N. MILLER
Wood County
1907-1928



IRA E. ROBINSON
Taylor County
1907-1915



L. JUDSON WILLIAMS
Greenbrier County
1909-1920



CHARLES W. LYNCH
Harrison County
1913-1921



JOHN W. MASON
Marion County
1915-1916



HAROLD A. RITZ
Mercer County
1917-1922



FRANK LIVELY
Kanawha County
1921-1932



JAMES A. MEREDITH
Marion County
1922-1924



WILLIAM H. MCGINNIS
Raleigh County
1923-1924



MORONI ORSON LITZ
McDowell County
1924-1936



JOHN H. HATCHER
Raleigh County
1924-1940



HOMER B. WOODS
Ritchie County
1925-1936



HAYMOND MAXWELL
Harrison County
1928-1940



JOSEPH N. KENNA
Kanawha County
1933-1950



FRED L. FOX
Braxton County
1937-1952



JAMES B. RILEY
Ohio County
1937-1958



HERSCHEL H. ROSE
Marion County
1941-1945



WILLIAM T. LOVINS
Cabell County
1941-1957



FRANK C. HAYMOND
Marion County
1945-1972



LESLIE E. GIVEN
Kanawha County
1950-1962



CHAUNCEY BROWNING
Logan County
1952-1971



HENRY LAKIN DUCKER
Cabell County
1957-1958



ROBERT TUCKER DONLEY
Monongalia County
1958



HARLAN M. CALHOUN
Hardy County
1958-1972



THORNTON G. BERRY, Jr.
McDowell County
1958-1976



FRED H. CAPLAN
Harrison County
1962-1980



JOHN E. CARRIGAN
Marshall County
1971-1972



CHARLES H. HADEN, II
Monongalia County
1972-1975



OLIVER D. KESSEL
Jackson County
1972



JAMES M. SPROUSE
Monroe County
1973-1975



RICHARD NEELY
Marion County
1973-1995



EDWIN F. FLOWERS
Hancock County
1975-1976



DONALD R. WILSON
Jackson County
1976



SAM HARSHBARGER
Cabell County
1977-1984



THOMAS B. MILLER
Ohio County
1977-1994



DARRELL V. MCGRAW, Jr.
Wyoming County
1977-1988



THOMAS E. MCHUGH
Kanawha County
1981-1997



WILLIAM T. BROTHERTON, Jr.
Kanawha County
1985-1995



MARGARET L. WORKMAN
Kanawha County
1989-1999



FRANKLIN D. CLECKLEY
Monongalia County
1994-1996



ARTHUR M. RECHT
Ohio County
1995-1996



JOSEPH P. ALBRIGHT
Wood County
1995-1996



ROBIN JEAN DAVIS
Kanawha County
1996-2018



LARRY V. STARCHER
Monongalia County
1997-2008



ELLIOTT E. MAYNARD
Mingo County
1997-2008



JOHN F. McCUSKEY
Kanawha County
1998



WARREN R. McGRAW
Wyoming County
1998-2004



GEORGE M. SCOTT
Roane County
1999-2000



JOSEPH P. ALBRIGHT
Wood County
2001-2009



BRENT D. BENJAMIN
Kanawha County
2005-2016



MARGARET L. WORKMAN
Kanawha County
2009-



MENIS E. KETCHUM
Wayne County
2009-2018



THOMAS E. McHUGH
Kanawha County
2009-2012



ALLEN H. LOUGHRY II
Kanawha County
2013-2018



ELIZABETH D. WALKER
Kanawha County
2017-



TIM ARMSTEAD
Kanawha County
2018-



EVAN H. JENKINS
Cabell County
2018-



JOHN A. HUTCHISON
Raleigh County
2018-

The Supreme Court Chamber

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he Chamber of the West Virginia Supreme Court of Appeals was designed by Cass Gilbert, the architect of the West Virginia Capitol. At the time, Gilbert was nationally renowned for his designs of the Capitols of Minnesota and Arkansas and the Woolworth building in New York City. While he was working on the West Virginia Capitol between 1924 and 1932, Gilbert received the commission to design the Supreme Court of the United States, his final project before he died.

The West Virginia Capitol was built in three units. The Supreme Court Chamber is on the third floor of the East Wing, the second unit built. The East Wing was erected between July 1926 and December 1927 at a cost of \$1,361,425. It was designed specifically to house the Supreme Court, the state Treasurer, and their offices. The second floor now also contains House of Delegates' offices and the House Committee on Government Organization meeting room.

Although it is on a smaller scale, Gilbert used the Chamber of the West Virginia Supreme Court as a model for the U.S. Supreme Court, and he personally designed the bench and chose furnishings and décor for the West Virginia Chamber. The two Supreme Court Chambers have a very similar appearance, even the raised wooden benches are carved in the same style. However, the West Virginia bench seats five and is made from American walnut while the bench in Washington, D.C., seats nine and is made of mahogany.

In both Chambers, columns of white marble surround the rooms and rise to coffered ceilings (thirty feet high in West Virginia, forty-four feet in Washington). In West Virginia, craftsmen used seventeen different paint treatments to adorn the coffered ceiling, which features neo-classical motifs molded from plaster.

There are fourteen columns in the West Virginia Chamber, twenty-four in the Washington Chamber. The West Virginia Chamber's columns are made of Imperial Danby Vermont marble with bases of black Belgian marble. Dark green marble steps lead from the floor of the Chamber to the raised platform of the bench. Ironically, West Virginia native Pearl S. Buck, winner of the Nobel Prize in Literature and the Pulitzer Prize for Fiction, died in the same Vermont town from which the columns were taken. The columns are unique. They are neither segmented nor hollow; columns used elsewhere in the West Virginia Capitol are either one or both. They weigh about two tons each and are of the Ionic design.

Gilbert called for rich burgundy drapes to line the areas between the columns, allowing Justices to enter the rooms in unison from behind the drapes with a dramatic flourish, a practice that continues today in West Virginia and the U.S. Supreme Court. Chairs for the public were not a part of Gilbert's original plan for the West Virginia Chamber. He believed chairs were too small for the room and that larger benches would be more appropriate. The architect and the Justices at that time arrived at a compromise, and the room now contains benches and chairs.





THE EQUAL RIGHT OF EVERY CITIZEN IN HIS PERSON



One major difference between the Chambers: In West Virginia, there is no bar between the Court and the public. The Justices at the time of construction did not want the traditional separator. Perhaps they wanted to symbolize that there is nothing keeping citizens from West Virginia's highest court. To differentiate the Supreme Court Chamber from lower court courtrooms, there is no jury box, no witness stand, and no desk for a court reporter. As an appellate court, the Supreme Court relies only on the arguments of attorneys and the records of cases in lower courts to render its decisions.

Gilbert wanted the Chamber of West Virginia's highest court to reflect the important work that takes place there, and he used design flourishes to accomplish that goal. Above the Chamber is a rectangular skylight of stained glass. Gilbert incorporated the role of the "Book of Law" into the brass rondels that adorn the skylight, by using a book, inscribed with the letters "l-e-x," the Latin word for law. In addition, bronze rondels depicting the "Scale and Balance" and sword of justice adorn the side of the skylight. The scale is an old symbol held by the Greek Goddess Themis, who is often referred to as Lady Justice. She most often is shown with a scale in one hand, a sword representing the rule of law in the other, and she sometimes wears a blindfold.



There are two quotations in the frieze along the top of the walls of the Chamber. The first one is from Thomas Jefferson's *Notes on the State of Virginia* and is best viewed by those appearing before the Court: "The true foundation of republican government is the equal right of every citizen in his person and property and in their management." The second quotation, on the back wall, is best viewed by Justices on the bench and is from Abraham Lincoln's second inaugural address: "Firmness in the right as God gives us to see the right."

While Gilbert designed the doors to the West Virginia legislative chambers as grand entrances, the doors to the Supreme Court Chamber are a simple wooden portal that opens off a hallway. Perhaps that was to symbolize that although the legislative chambers are off limits to the public, the courtroom, like the entire judicial branch of government, is open to all.

The Supreme Court Chamber is a frequent stop for visitors to the West Virginia Capitol. The public, litigants, and their families and friends often sit in on Oral Arguments. The room is designed to instill the ideals of justice and fairness. No matter how acrimonious or lengthy a conflict has been in lower courts, when people walk into the Supreme Court Chamber, they are respectful of each other, the Chamber itself, and the Rule of Law.

THE SUPREME COURT OF APPEALS OF WEST VIRGINIA



Credits

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Pictured at right: The skylight in the Supreme Court Chamber, designed by Capitol architect Cass Gilbert

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