



West Virginia Court System

2011 Annual Report

**Honorable
Margaret L. Workman**
Chief Justice

Honorable Robin Jean Davis

Honorable Brent D. Benjamin

Honorable Menis E. Ketchum

Honorable Thomas E. McHugh
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*Photo details of county courthouses on pages 93-147 by
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2011: A Year of Progress

By Chief Justice Margaret L. Workman

The Supreme Court is in charge of administering the court system, which is much more than simply keeping track of cases moving through all the clerks' offices and ensuring that a judge is appointed to fill in when a colleague needs to step aside from a case.

The Supreme Court Administrative Office coordinates the work of hundreds of probation officers, gathers and analyzes statistics from circuit and magistrate clerks, helps run continuing education programs for judicial officials and their staffs, operates a Domestic Violence Registry that is a national model, creates forms and maintains computer technology for use by courts statewide, and does security audits of courthouses across the state. Administrative Office personnel also assist circuit judges and circuit clerks with juries, mass litigation, accessibility issues, and the continued expansion and operation of a network of treatment courts.

Individually, each Supreme Court Justice also has personal projects in addition to the everyday work of the Court. In my year as Chief Justice in 2011, I established an Adjudicated Juvenile Rehabilitation Review Commission to look at the Division of Juvenile Services' operations plan, and, more specifically, programs at the Industrial Home for Youth in Salem and at the Honey Rubenstein Center in Davis. The other Commissioners and I toured the Salem facility and the Commission toured the Davis facility. Although the scope of the



Chief Justice Margaret L. Workman speaks to a spring meeting of the Women's Club of Charleston. *Photo by Jennifer Bundy*

Commission's work initially will be focused on these two locations, it can expand its review to other facilities operated by the Division of Juvenile Services and the Department of Health and Human Resources if it deems it necessary. The Commission will report its findings to the Supreme Court.

Justice Robin Jean Davis has a special interest in education issues. In 2011 she and Circuit Judge Alan Moats appeared at more than twenty meetings around West Virginia to discuss ways the court system can work with educators, the Department of Health and Human Resources, and other community officials to keep children in school. Her truancy tour encouraged several circuit judges

to crack down on habitually truant students in their circuits – and on their parents.

Justice Brent Benjamin in 2011 led the Access to Justice Commission on a tour of the state to gather citizen input on how West Virginians navigate the court system. The sixteen-member commission heard from citizens at forums in Beckley, Martinsburg, Huntington, Wheeling, Morgantown, and Charleston. The Commission found that people are intimidated by the law and legal procedures, so the commission has begun to address those issues.

Justice Ketchum worked in 2011 with Supreme Court Clerk Rory Perry, Administrative Director Steve Canterbury, and some



Chief Justice Margaret L. Workman speaks at the House Finance Committee in Charleston. Photo by April Harless

contracted experts to develop clearer language for pattern jury instructions. Justice Ketchum expects that work, modeled on Alabama's example, to take several years.

Justice Thomas McHugh continued his work with civic education, which he sometimes does in concert with the West Virginia Board of Education and his longtime friend, Board Member Priscilla Haden. He has served as a judge on the selection committee for the annual United States Senate Youth Programs. He also prepared and presented seminars at State Bar conferences on Supreme Court opinions.

The Supreme Court's Business Court Committee met in September 2011 with an invited group of attorneys and others who represented thousands of businesses across West Virginia. Justice Davis and Justice Ketchum also attended the day-long session at the Charleston Marriott Town Center Hotel. The group went through the second draft of proposed written rules for a Commercial Litigation Court, and the attorneys and business representatives suggested

numerous changes. Feedback from those attending the meeting was extremely positive. The attorneys and business leaders said they appreciated being invited to participate so early in the rules-writing process. Those suggestions were incorporated into a third draft, which was presented to the Supreme Court in preparation for a public comment period.

Circuit court judges and family court judges across West Virginia also presided in 2011 in a growing network of adult and juvenile drug courts, which were open in about half the state's counties by the end of the year. Justice Benjamin did the best he could to attend every drug court opening and graduation to show the Supreme Court's support for these very important programs.

The stakes are high in each of these areas. Citizens need to understand how our government works. Jurors need

to understand basic instructions when deciding outcomes of cases. Students need to go to school to lay the foundation for a successful life. Juvenile institutions need to focus on rehabilitation to reduce recidivism. And there needs to be access to the courts, which should be open and available to address each citizen's grievances. Failure in any of these areas leads to problems that reduce the quality of life for every one of us – and cost taxpayers money.

As administrators and jurists, we must use our positions more proactively than ever. The public has put its faith in us, and it expects more from us. That faith and those expectations also extend to the circuit courts, family courts, and magistrate courts.

Many circuit court judges, family court judges, and magistrates also are active in civic education programs that involve reading to school children, visiting schools to talk about the judicial branch of government, and hosting mock trials in their courtrooms.

As the articles in this annual report will attest, jurists at all levels of the court system do more now than was expected of them a generation ago. And the report will show the year 2011 was a productive one for the court system in West Virginia.



Chief Justice Margaret L. Workman speaks to former West Virginia University President David Hardesty at an event at Fairmont State University. Courtesy photo by Sarah Hensley

Chief Justice Margaret L. Workman



Chief 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. Chief 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. Chief Justice Workman attended Kanawha County public schools and was the first in her family to go to college. She attended West Virginia University and 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, chaired by Senator Jennings Randolph. She returned to West Virginia to work as a law clerk to the Thirteenth Judicial Circuit. 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, Chief 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, Chief 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, she 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. Chief 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. Chief Justice Workman has been active in church and community activities, and she is the mother of Lindsay, Chris, and Ted.



Photos by Michael Switzer

Justice Robin Jean Davis



Photos by Michael Switzer



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 to a full twelve-year term. Justice Davis served as Chief Justice in 1998, 2002, 2006, 2007, and 2010. Under her leadership as Chief Justice in 2010, the Court approved Revised Rules of Appellate Procedure, which modernized and comprehensively

changed 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. Currently, Justice Davis is the Supreme Court's designee to the Judiciary's Initiative on Truancy, and in that role she has held more than twenty public meetings to encourage collaborative community truancy programs. In her previous 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 which 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 child 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 Liberty 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.

Justice Brent D. Benjamin



Photos by Michael Switzer



Justice Brent D. Benjamin was elected to a twelve-year term on the Supreme Court of Appeals in November 2004. He is a native of Marietta, Ohio. Justice Benjamin is a graduate of The Ohio State University, from which he holds both a bachelor's degree and a law degree. After graduation from law school in 1984, he settled in Charleston, West Virginia. Since his election, Justice Benjamin has been a regular presenter and instructor on a variety of legal issues in various forums, including the National Press Club, in Washington, D.C. As part of Constitution Day activities in 2009, he moderated a symposium on "Blogging and the First Amendment" at Marshall University. Justice Benjamin served as Chief Justice in 2009, during which the Court accomplished several initiatives, including establishing an Access to Justice Commission, (a Compliance Committee on Prisons and Jails,) an acclaimed statewide Domestic Violence Registry, a statewide Mental Hygiene Registry,

and a Northern Panhandle Re-Entry Court. In 2009, the Court also expanded pre-incarceration Treatment Courts, including Drug Courts, from a handful of counties to coverage of over half the state's population. As Chief Justice, Justice Benjamin was active not only in Bar-related matters, but also on children's issues and drug issues. He led West Virginia's delegations to the 2009 Children's Summit and to the 2009 Drug Court Professionals Summit. He spoke at regional meetings of the West Virginia State Bar; he participated in regional Judicial Roundtables on Child Abuse and Neglect, and in regional Summits on Domestic Violence and Firearms; and he worked to enhance and expand court outreach, judge-media relations, and public education about the role of the judicial branch. During his time as Chief Justice, the Court issued an educational DVD, *The Foundation of Justice: The Supreme Court of Appeals of West Virginia*. Before his election, Justice Benjamin was a principal attorney with Robinson and McElwee, PLLC, in Charleston. His twenty-year practice at that firm involved general civil litigation in state and federal courts, including toxic torts and complex litigation. His civil rights practice focused on protecting children from physical and sexual abuse. He has practiced in the United States Court of Appeals for the Fourth Circuit, the United States District Court for the

Southern District of West Virginia, the Supreme Court of Appeals of West Virginia, and before courts in the Commonwealth of Kentucky. Justice Benjamin is a 1999 graduate of Leadership West Virginia. Away from his judicial duties, Justice Benjamin is also a current member of the Hocking College Archaeological Mission and the Amenmesse Project, and he has participated in archaeological excavations in the United States and Egypt, including the recent re-excavation of Tomb TT-320 (the "Royal Cache Tomb") and, currently, KV10 and KV63 (the first intact tomb to be discovered in the Valley of the Kings since the discovery of the tomb of Pharaoh Tutankhamun). Justice Benjamin attends Christ Church United Methodist, in Charleston. He is the father of Paul, Mary, Laura, Amanda, and Evan.

Justice Menis E. Ketchum



Photos by Michael Switzer



Justice Menis E. Ketchum was elected to a full twelve-year term on the Supreme Court of Appeals on November 4, 2008. Justice Ketchum was born in 1943 in Huntington, West Virginia, and 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 he 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. They also have six grandchildren.

Justice Thomas E. McHugh



Photos by Michael Switzer



Justice Thomas E. McHugh

was elected to the Supreme Court in 2010 to a two-year term. He began sitting by Designation as Senior Status Justice on the Supreme Court on September 1, 2008, when the Chief Justice appointed him to serve during the illness of Justice Joseph Albright, and he was reappointed on January 1, 2009, for the same purpose. After the death of Justice Albright on March 20, 2009, Chief Justice Brent Benjamin appointed him to serve in Justice Albright's position until the Governor named a replacement. On April 8, 2009, Governor Joe Manchin III appointed Justice McHugh to the Supreme Court to serve until the 2010 general election. At that time he was elected to complete Justice Albright's twelve-year term, which ends in 2012. Justice McHugh previously was elected to the Court in 1980 and was re-elected to a second twelve-year term in 1992. He served as Chief Justice in 1984, 1988, 1992, 1995 and 1996. He retired on December 31, 1997. After his retirement, he

practiced law in the Charleston law firm of Allen Guthrie McHugh and Thomas, where he was of counsel. Justice McHugh was born in Charleston on March 26, 1936, and is a 1958 graduate of West Virginia University and a Distinguished Military Graduate, and he is a 1964 graduate of West Virginia University College of Law. In law school he was a member of the Order of the Coif, a legal honorary, and was associate editor of the *West Virginia Law Review*. He served as a First Lieutenant in the United States Army from 1958 to 1961. He was a law clerk to West Virginia Supreme Court Justice Harlan Calhoun from 1966 to 1968. He was elected Judge in the Circuit Court of Kanawha County in 1974, re-elected in 1976, and served as chief circuit judge from 1974 to 1980. Justice McHugh was President of the West Virginia Judicial Association in 1981-1982. He is a former member of the Judicial Review Board of West Virginia and was a member of the Visiting Committee of the West Virginia University College of Law from 1991 to 1995, serving as Chairman of that Committee from 1994 to 1995. He was a member of the Dean Search Committee of the West Virginia University College of Law from 1991 to 1992 and from 1997 to 1998. He is a member of the Mountain Honorary at West Virginia University, and is a recipient of the Distinguished West Virginian Award, the 1996 Special Award of Achievement in the Administration

of Justice from The West Virginia State Bar, the 1996 Public Service Award from the Mountain State Bar Association, a 1998 Certification of Completion of Mediation Training from Duke University Private Adjudication Center, the 1998 Outstanding Achievement Award from the Kanawha County Bar Association, the 1998 *Justicia Officium* Award from the West Virginia University College of Law, and the 2012 Distinguished Service in Justice, Equality, and Rule of Law Award from the Mountain State Bar Association. Justice McHugh is a West Virginia Bar Foundation Fellow and Emeritus Member, Judge John A. Field, Jr., American Inns of Court. He is Director Emeritus of the Children's Home Society of West Virginia. He is Chairman of the Board of Trustees of Thomas Memorial Hospital and a member of the West Virginia Center for Civic Life Board of Directors. He is a member of the Fourth Circuit Judicial Conference. He and his wife, Judy, have four children: Karen, Cindy, James, and John. They also have seven grandchildren and two great-grandchildren.

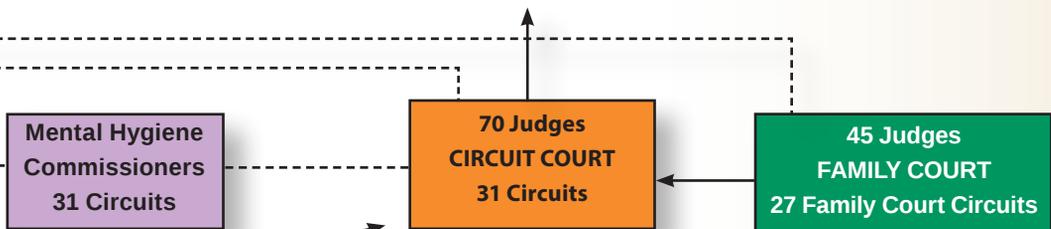
West Virginia Judicial System

ADMINISTRATIVE OFFICE



Jurisdiction:

Original jurisdiction in proceedings of *habeas corpus*, *mandamus*, prohibition and *certiorari*. Appellate jurisdiction in civil cases at law over \$300 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 \$300 or more in equity. 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

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

Deputy Administrative Director

Office of General Counsel

Provides legal counsel to administrative director

Division of Public Information

Issues publications and provides press relations for judicial system

Division of Magistrate Court Services

Provides administrative support for magistrate courts, magistrates, clerks, and assistants

Division of Special Projects

Provides administrative and advisory counsel to task forces, boards, panels, and commissions dealing primarily with social and equal justice issues; studies and reports on comparative state judicial administrative policies and procedures

Division of Technology Services

Oversees Unified Judicial Application information system, networking, e-mail, hardware, software, technology systems, management and support

Access to Justice Commission

Created by the Supreme Court to develop a plan for improving access to the civil court system; to include identification of priorities to meet the needs of fair, accessible, efficient, and accountable access to justice through recommendations of projects and programs to enhance access to justice in West Virginia

Division of Human Resources

Oversees court system personnel issues, payroll processing, and employee benefits

Division of Judicial Education

Oversees training programs for all judicial officers and court staff

Division of Family Court Services

Provides training and support services to family courts, judges, and staff

Division of Financial Management

Oversees court system budgetary matters, including cost allocation, appropriations, purchasing, and credit card administration

Office of Judicial Investigation Commission

Determines whether probable cause exists to charge judicial officers with violations of the Code of Judicial Conduct; reports to the administrative director of the courts for administrative matters, and the administrative director may seek advisory opinions on whether contemplated actions may constitute violations of the Code of Judicial Conduct

State Law Library

Provides research and reference service and instruction, document delivery, and legal workshops for the public

Division of Mental Hygiene and Treatment Court Services

Oversees involuntary commitment, guardianship/conservatorship, and West Virginia's adult problem-solving courts

Division of Probation Services

Oversees circuit court probation services, including policy development; administers Interstate Compact for Juveniles; oversees juvenile drug courts and sex offender intensive supervision officers

Division of Legislative Analysis

Analyzes the law-making process and informs judicial officers of potential effects on the judiciary; coordinates communication between judicial officers and legislators; prepares and files all fiscal notes with the legislative manager

Division of Administrative Services

Oversees facilities, inventory, and surplus, recording, and provides court reporting support

Division of Children's Services

Assists with initiatives to improve outcomes for children and families involved in child abuse and neglect and youth services cases, including the Court Improvement Program; coordinates Supreme Court civic education programs

Division of Court Security

Oversees judicial system security and support

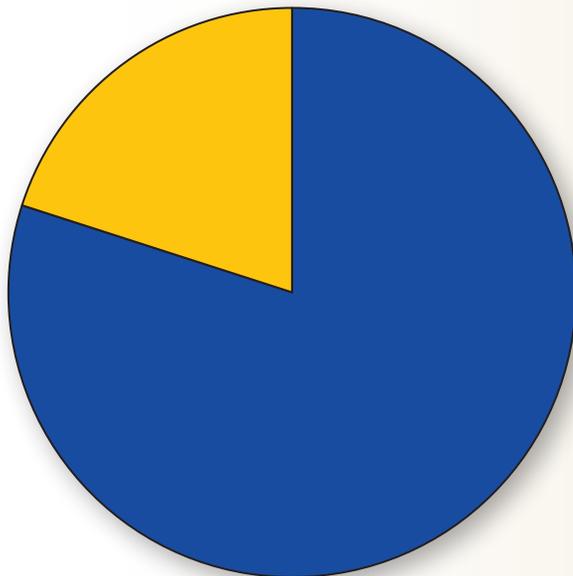
Division of Court Services

Provides circuit clerks' liaison, jury management, Americans with Disabilities Act coordination, statistical analysis, and fatality review team management; oversees family court facility leases, grants management, and systems improvement

Court System Budget

Fiscal Year 2012

July 1, 2011 — June 30, 2012



Personal Services and Employee Benefits

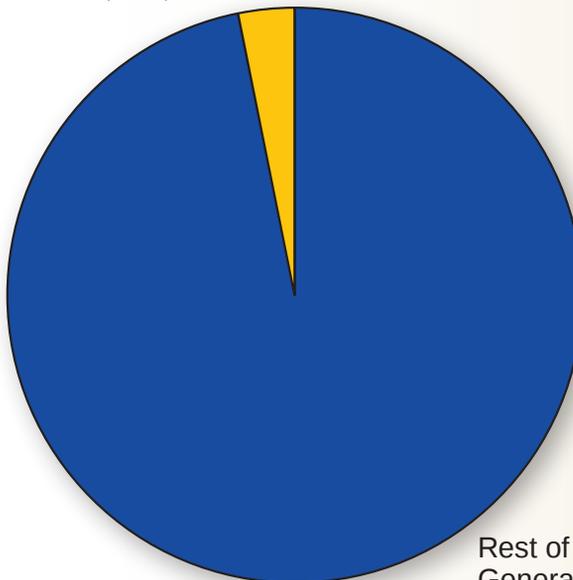
Operating Expenses

Personal Services and Employee Benefits:	\$ 25,850,472
Operating Expenses	<u>\$ 94,633,152</u>
	\$120,483,624

State of West Virginia

Fiscal Year 2012 Budget

Court System \$120,483,624



Rest of West Virginia
General Revenue Budget:
\$4,124,652,039

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 \$4,245,135,663.

Court Expenditures by County in Fiscal 2012 (July 2011-June 2012)

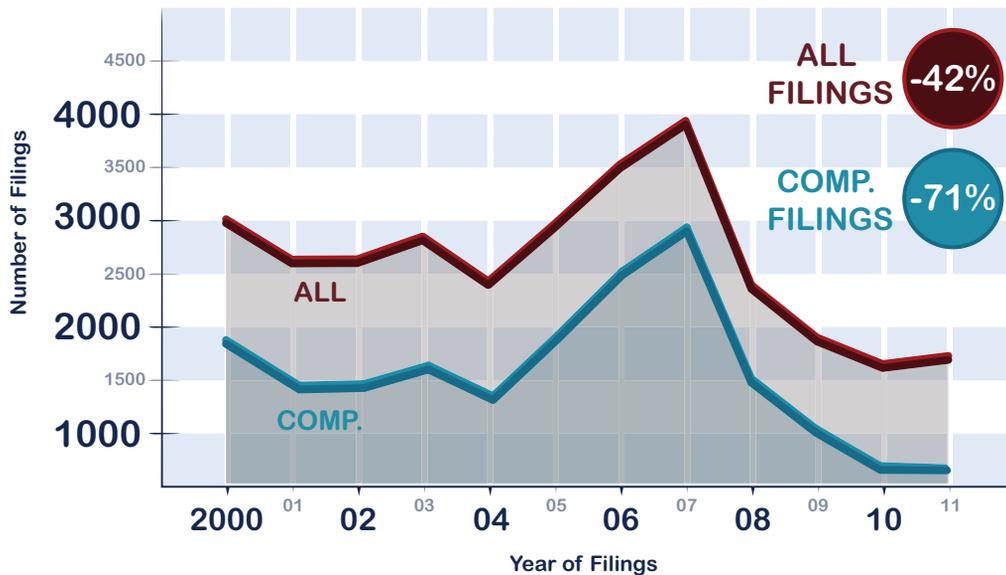
County	Circuit Court	Magistrate	Family Court	Total
Barbour	\$ 37,224	\$ 415,394	\$ 328,690	\$ 781,308
Berkeley	3,170,593	1,275,163	387,376	4,833,132
Boone	1,117,234	520,397	331,754	1,969,386
Braxton	992,832	488,645	329,511	1,810,988
Brooke	1,647,743	489,831	17,492	2,155,066
Cabell	3,944,849	1,572,575	808,502	6,325,927
Calhoun	102,842	403,001	38,483	544,326
Clay	279,687	406,307	17,099	703,093
Doddridge	326,666	445,069	12,615	784,349
Fayette	1,977,479	923,998	358,759	3,260,236
Gilmer	53,033	388,563	9,331	450,928
Grant	462,666	399,379	16,091	878,135
Greenbrier	1,987,026	820,364	429,348	3,236,739
Hampshire	982,574	471,969	38,286	1,492,829
Hancock	807,198	674,835	55,373	1,537,405
Hardy	791,360	399,627	313,383	1,504,370
Harrison	2,787,867	1,160,306	679,641	4,627,814
Jackson	910,850	537,014	435,320	1,883,184
Jefferson	1,234,932	797,818	555,869	2,588,619
Kanawha	8,127,028	2,519,827	1,824,633	12,471,488
Lewis	414,381	500,813	45,793	960,987
Lincoln	1,139,056	460,786	444,698	2,044,539
Logan	2,180,371	871,138	618,751	3,670,260
Marion	2,133,444	938,296	313,250	3,384,991
Marshall	1,749,372	789,386	52,540	2,591,298
Mason	933,199	509,020	395,153	1,837,372
McDowell	1,372,511	665,572	128,295	2,166,378
Mercer	1,984,285	1,217,129	1,154,884	4,356,299
Mineral	1,118,219	451,511	8,871	1,578,601
Mingo	987,794	728,908	324,132	2,040,834
Monongalia	2,814,458	1,133,346	708,799	4,656,603
Monroe	568,583	395,817	29,543	993,944
Morgan	352,295	460,785	302,190	1,115,270
Nicholas	1,108,640	718,456	302,305	2,129,401
Ohio	1,520,252	1,008,156	730,453	3,258,860
Pendleton	211,560	420,524	3,555	635,639
Pleasants	497,091	411,327	3,539	911,956
Pocahontas	39,783	401,842	22,796	464,421
Preston	995,069	693,658	40,824	1,729,551
Putnam	1,798,407	758,867	347,848	2,905,122
Raleigh	3,770,277	1,277,943	925,610	5,973,830
Randolph	1,029,884	699,677	341,634	2,071,194
Ritchie	227,792	413,874	5,231	646,897
Roane	257,784	483,670	299,408	1,040,863
Summers	361,327	380,350	51,708	793,385
Taylor	940,911	425,672	15,764	1,382,346
Tucker	353,718	395,610	3,129	752,457
Tyler	53,667	416,981	1,967	472,615
Upshur	897,395	543,923	30,635	1,471,953
Wayne	1,874,901	706,626	345,739	2,927,266
Webster	699,632	380,116	293,247	1,372,996
Wetzel	346,632	443,170	259,604	1,049,405
Wirt	26,326	398,689	11,565	436,579
Wood	3,446,675	1,297,781	745,895	5,490,351
Wyoming	1,009,046	783,308	50,268	1,842,622



Supreme Court of Appeals of West Virginia 2011 Statistical Report

Significant Overall Decline in Caseload Since 2000

The Court's caseload has fallen by 42 percent since 2000. In that year, 3,029 new cases were filed, compared to 1,744 in 2011.



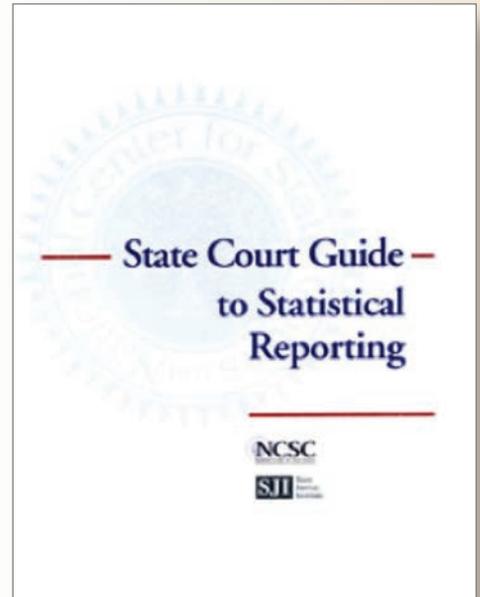
Workers' compensation appeals were the most important factor in the Court's caseload over the previous decade. Incoming cases reached an all-time high in 2007, when 3,954 new cases were filed. At that time, nearly two-thirds of new filings were workers' compensation appeals. This disproportionate number of incoming cases was a result of the administrative transition in the workers' compensation system, and it was temporary. Now that legislative reforms and privatization of the workers' compensation system in West Virginia have been fully accomplished, the number of incoming workers' compensation appeals dropped to 532 in 2011, a decline of seventy-one percent since 2000.

When compared to national markers, the overall 42 percent decline is quite significant. According to the most recent data available from the National Center for State Courts, the total number of incoming cases in courts of last resort fell by 14 percent between 2000 and 2009. The decline in West Virginia exceeds the national average by more than 25 percentage points.

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 the Court began implementing the national reporting guidelines¹ developed in the *State Court Guide to Statistical Reporting* of 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 In coming years, additional components of the *Guide* will be implemented as well, such as more detailed reporting on the manner of disposition.

Beginning in 2011, the Court's caseload will be reported using the more detailed case types set forth in the *Guide*. Although this departure from the method used in prior years will make year-to-year 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.



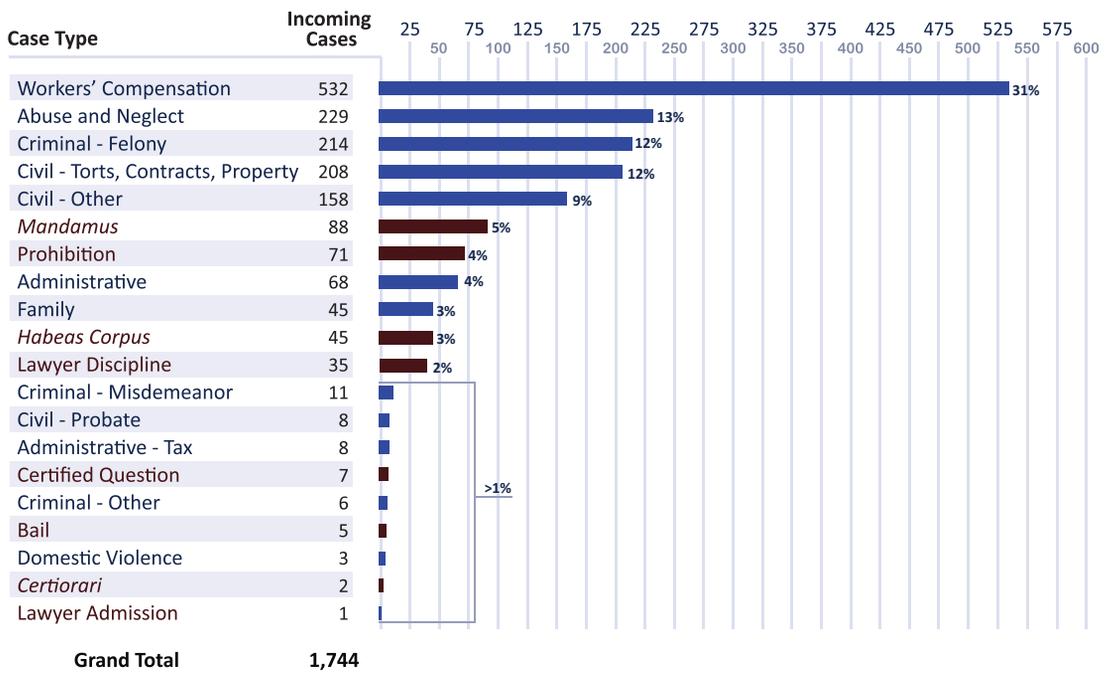
Supreme Court Clerk Rory Perry II. Photo by Michael Switzer

The chart on the following page shows the distribution of incoming filings in 2011. More than half of the filings are in workers' compensation, abuse and neglect, and criminal felony appeals.

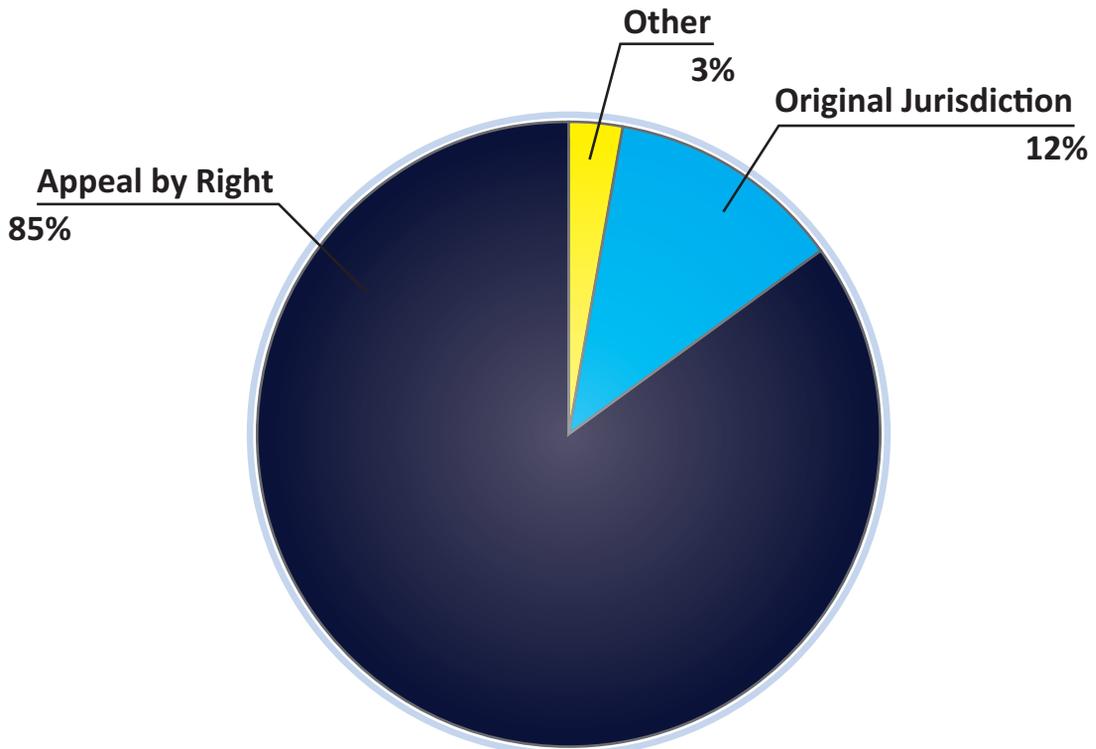
Direct year-to-year comparisons are limited because cases in prior years have not been classified with the modern case type codes. Nevertheless, some comparisons can be made.

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.courtswv.gov/supreme-court/integrated-decision-list-explained.html>.



Appeals by Right | Original Jurisdiction/Other



Overall case filings in 2011 increased by less than 5 percent from the prior year. The number of compensation filings dropped by 13 percent, continuing a declining trend. Overall, original jurisdiction filings also fell by 22 percent. Offsetting those declines were increases in appeals from cases involving criminal sentences and termination of parental rights, which is to be expected when implementing an appeal by right. Notably, the 23 percent increase in the "Civil" category is due almost entirely to an increase in appeals from post-conviction *habeas corpus* orders. (Post-conviction *habeas corpus* challenges by incarcerated persons are civil proceedings.) It is perhaps worth noting that in almost all of these cases, the costs for counsel and other costs related to the appeal are borne by the state and county; each of these three case types involves a very high percentage of court-appointed counsel, along with counsel for the State of West Virginia on the other side. Finally, administrative appeals, such as those involving license revocations, increased, although the increase is partially due to more accurate case type assignment in light of the use of the *Guide*.

Case Filings Comparison (2010 - 2011)			
Appeals by Right	2010	2011	Change
Abuse and Neglect	182	229	25.82%
Civil	304	374	23.03%
Civil - Administrative	39	76	94.87%
Compensation	610	532	-12.79%
Criminal	185	231	24.86%
Family	36	48	33.33%
Appeals by Right Subtotal	1,356	1,490	9.88%
Original Jurisdiction			
<i>Certiorari</i>	2	2	0.00%
<i>Habeas Corpus</i>	71	45	-36.62%
<i>Mandamus</i>	114	88	-22.81%
Prohibition	80	71	-11.25%
Original Jurisdiction Subtotal	267	206	-22.85%
Other			
Certified Questions	12	7	-41.67%
Bail	7	5	-28.57%
Lawyer Discipline	26	35	34.62%
Judicial Discipline	0	0	0.00%
Lawyer Admission	0	1	100.00%
Other Subtotal	45	48	6.67%
GRAND TOTALS	1,668	1,744	4.56%

Implementing the Appeal by Right Results in Triple the Number of Decisions on the Merits

In late 2010 the Supreme Court of Appeals of West Virginia made historic 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.

As a result of implementing the appeal by right, the number of merits decisions issued by the Court has more than tripled. In 2011, the Court issued a total of 678 decisions on the merits, compared to 149 in 2010. This is an increase of more than three hundred percent. Two thirds of the decisions were rendered in workers' compensation, abuse and neglect, and felony criminal appeals alone.

2011 Combined Decisions Sorted High to Low	Number of Decisions
Workers' Compensation	209
Abuse and Neglect	145
Criminal - Felony	105
Civil - Torts, Contracts, Real Property	92
Civil - Other	37
Administrative	27
Family	23
Prohibition	12
Criminal - Misdemeanor	7
Bar Discipline	5
<i>Mandamus</i>	4
Administrative - Tax	3
Civil - Probate	3
Criminal - Other	3
Certified Question	1
<i>Certiorari</i>	1
Bar Admission	1
TOTAL	678

Although the Court has always fully reviewed each appeal, prior to the 2010 rule changes about three-quarters of all appeals were disposed by a no-reason refusal order that had no precedential effect. Since the rules were changed, the Court has been issuing a written decision in every properly prepared appeal. As is true for all appellate courts across the country that handle appeals by right, not every appeal requires an oral argument, and not every case has significant points of law that require a published opinion. Even in instances where the Court decides an appeal in a more limited fashion, the memorandum decisions are made available in a searchable form on the Court's website and may be cited as legal authority in any court of the state. The memorandum decisions are subject to the full range of appellate due process, including the ability to file a petition for rehearing. In 2011 the Court issued 578 memorandum decisions.

In addition to memorandum decisions, the Court issued a total of one hundred opinions in 2011. The median number of opinions issued each year since 1864 is 132, so the total in 2011 is not a significant departure. In fact, for fifty-three years of the Court's history fewer than one hundred opinions were issued. The Court issues two types of 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.³

Of the one hundred opinions released by the Court in 2011, fifty-five were signed opinions and forty-five were *per curiam* opinions. One fact worth noting is that the number of signed opinions significantly exceeded the number of *per curiam* opinions, which has not occurred for more than ten years. In 1997, for the first time in the history of the Court, the number of *per curiam* opinions exceeded the number of signed opinions. The shift to more signed opinions may signal that the screening mechanisms set forth in Rule 20 — which were adopted in large part from the November 15, 2009, Final Report of the West Virginia Independent Commission on Judicial Reform — 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.

The foremost management task facing the Court in 2011 was the stable transition to an appeal by right. By tripling the number of decisions on the merits and keeping pace with incoming filings, the Court successfully made that transition.



Deputy Clerk of Court Edythe Nash confers with Staff Attorney Adriana Marshall. Photo by Jennifer Bundy

³In 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." Syl. 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." Syl. Pt. 3. "A *per curiam* opinion may be cited as support for a legal argument." Syl. Pt. 4.

■ Swearing in a New Governor



Photo of public ceremony *Courtesy of Steve Rotsch, the Governor's office*

Chief Justice Margaret L. Workman delivered the public oath of office to Governor Earl Ray Tomblin at 3 p.m. on Sunday, November 13, 2011. Earlier in the day, Governor Tomblin resigned from the state Senate and as Senate president, then in a private ceremony in the Governor's Office, he took an oath of office administered by Thirteenth Judicial Circuit (Kanawha County) Judge Tod Kaufman. Governor Tomblin won a special election for governor held on October 4, 2011, to fill the seat vacated when Joe Manchin was elected to the U.S. Senate. As Kanawha County's chief circuit judge, Judge Kaufman also administered an oath of office to Governor Tomblin on November 15, 2010, which made him West Virginia's acting governor. Then-Chief Justice Robin Davis delivered an oath during a public swearing-in ceremony.



Photo of private ceremony *Courtesy of Tod Kaufman*

2011 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 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 2011 and the cases in which they participated.



Judge Jack Alsop, Fourteenth Judicial Circuit (Braxton, Clay, Gilmer, and Webster Counties)

January 12 Rule 20 Argument Docket:

State v. Larry S. White, II (No. 35529)

September 28 Rule 20 Argument Docket: *Joseph Cassaccio and National Indemnity Co. v. Harold A. Curtiss, Executor* (No. 101527)

Senior Status Judge

John L. Cummings, Sixth Judicial Circuit (Cabell County)

March 29 Rule 20 Argument Docket: *Judith King v. Charles E. King, Jr., and Phyllis Slack King* (No. 35696)



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

March 8 Rule 20 Argument Docket: *James and Debbie MacDonald v. City Hospital, Inc., and Sayeed Ahmed, M.D.*, (No. 35543)



Judge Phillip D. Gaujot

Seventeenth Judicial Circuit (Monongalia County)

January 19 Rule 20 Argument Docket, cases consolidated: *Clayton Brown v.*

Genesis Healthcare Corporation, et al. (No. 35494); *Jeffrey Taylor v. MHCC, Inc., et al.* (No. 35546), and *Sharon Marchio v. Clarksburg Nursing Rehabilitation Center, et al.* (No. 35635)

April 27 Rule 20 Argument Docket: *Community Antenna Service, Inc. v. Charter Communications VI, LLC* (No. 35703)



Judge Gina M. Groh, Twenty-Third Judicial Circuit (Berkeley, Jefferson, and Morgan Counties)



January 26 Rule 20 Argument Docket: *William B.*

Hamm v. Dr. Steven L. Paine, Superintendent (No. 35539)

March 29 Rule 20 Argument Docket: *Judith King v. Charles E. King, Jr. and Phyllis Slack King* (No. 35696)

Judge David W. Hummel, Jr., Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties)



September 21 Rule 19 Argument Docket: *Norma Acord v. Colane Corporation, et al.* (No. 101366)

Judge John A. Hutchison, Tenth Judicial Circuit (Raleigh County)



January 26 Rule 19 Argument Docket: *Charles A. Carpenter v. Barbara Ann Carpenter* (No. 35631)

Judge Thomas H. Keadle, Twenty-Sixth Judicial Circuit (Lewis and Upshur Counties)



September 7 Rule 20 Argument Docket: *State of*

West Virginia v. Tracy L. Haid (No. 35680)

Judge H. L. Kirkpatrick III, Tenth Judicial Circuit (Raleigh County)

May 10 Rule 20 Argument Docket: *William and Connie Huston v. Mercedes-Benz USA, LLC, et al.* (No. 35702)



Judge Lawrance S. Miller, Jr., Eighteenth Judicial Circuit (Preston County)



January 11 Rule 20 Argument Docket, cases consolidated: *SER Citizen Action*

Group v. Earl Ray Tomblin, President of the Senate, et al. (No. 101494) and *SER Thornton Cooper v. Earl Ray Tomblin, President of the Senate, et al.* (No. 10-4004)

Judge David W. Nibert, Fifth Judicial Circuit (Calhoun, Jackson, Mason and Roane Counties)



March 29 Rule 20 Argument Docket: *Stanley Stevenson, II v. Independence Coal Company* (No. 35592)

Judge Joseph C. Pomponio, Jr., Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties)



October 18 Rule 20 Argument Docket: *Grant Thornton, LLP v. Kutak Rock, LLP* (No. 11-0079)

Judge Ronald E. Wilson, First Judicial Circuit (Brooke, Hancock, and Ohio Counties)



March 8 Rule 20 Argument Docket: *James and Debbie MacDonald v. City*

Hospital, Inc., and Sayeed Ahmed, M.D. (No. 35543)



Because of the appearance of impropriety, all five justices recused themselves from hearing a case on the Rule 20 Argument Docket on April 27. *Diana Mae Savilla v. Speedway Superamerica* (No. 35563) involved legal fees that could be owed to Chief Justice Margaret L. Workman from a case she handled before she began campaigning for election to the Supreme Court in 2008. Chief Justice Workman represented the siblings of a woman who died when a rescue boat operated by the City of Charleston overturned in flood waters during the evacuation of a convenience store where she worked. Judge Gary L. Johnson (center in the photo above) of the Twenty-Eighth Judicial Circuit (Nicholas County) sat in for Chief Justice Workman. In his capacity as Acting Chief Justice, Judge Johnson appointed the other circuit judges who joined him on the case. From left to right: Judge Jack Alsop of the Fourteenth Judicial Circuit (Braxton, Clay, Gilmer, and Webster Counties); Judge Arthur M. Recht of the First Judicial Circuit (Brooke, Hancock, and Ohio Counties); Judge Gary L. Johnson of the Twenty-Eighth Judicial Circuit (Nicholas County); Senior Status Judge Robert B. Stone (second from right) of the Seventeenth Judicial Circuit (Monongalia County); and Judge Thomas C. Evans, III, (right) of the Fifth Judicial Circuit (Calhoun, Jackson, Mason, and Roane Counties). *Photo by Jennifer Bundy*



One of the Supreme Court's duties is to welcome new attorneys to the practice of law. On October 19, 2011, the new attorneys included the daughters of two very proud circuit judges. Evan Pratt (left) was introduced to the Court by her father, Twenty-Fourth Judicial Circuit (Wayne County) Judge Darrell Pratt, who is pictured seated next to her. Mary Rennie Rowe was introduced to the Court by her father, Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties) Judge James J. Rowe (right). Ms. Pratt practices law in Bridgeport and Ms. Rowe practices in Charleston. *Photo by Jennifer Bundy*

2011 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

Bradley J. Pyles, Esquire, President (Logan)
Janice Lee Murray Hall, Esquire, Vice President (Huntington)
Roslyn C. Artis, Esquire (Beckley)
Sue Anne Howard, Esquire (Wheeling)
Ancil G. Ramey, Esquire (Huntington)
Lawrence M. Schultz, Esquire (Martinsburg)
Ward D. Stone, Jr., Esquire (Morgantown)

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 Rudolph J. Murensky, II, Chairman,
Eighth Judicial Circuit (McDowell County)
Senior Status Judge Robert G. Chafin, Vice-Chairman,
(Wayne County)
Circuit Judge Gina M. Groh, Twenty-Third Judicial Circuit
(Berkeley, Jefferson, and Morgan Counties)
Circuit Judge Lawrance S. Miller, Jr., Eighteenth Judicial
Circuit (Preston County)
Family Court Judge Beth Longo, Twenty-First Family
Court Circuit (Barbour and Taylor Counties)
Magistrate Tina M. Mouser (Barbour County)
Michael D. Lorensen, Esquire (Martinsburg)
Jacqueline Farrell (Huntington)
George Poole (Williamson)
Staff: Daniel C. Staggers, 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)
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)
Magistrate Gail C. Boober (Jefferson County)
Senior Status Circuit Judge Andrew N. Frye, Jr.
(Grant County)
Thomas F. Burgoyne (Wheeling)
Daniel Crockett, Esquire (Dunbar)
Alice A. Chakmakian, Esquire (Charles Town)
Staff: Teresa A. Tarr, Esquire
Staff: 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 Thomas C. Evans, III, Fifth Judicial Circuit
(Calhoun, Jackson, Mason, and Roane 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)
Staff: Kimberley Fields, Mass Litigation Manager
Staff: Debra Brogan, Administrative Assistant

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 Jack Alsop, Fourteenth Judicial Circuit
(Braxton, Clay, Gilmer, and Webster Counties)
Family Court Judge William Sinclair, First Family Court
Circuit (Brooke, Hancock, and Ohio Counties)
Magistrate Stephen D. Massie (Raleigh County)
Circuit Clerk Betsy Castle (Preston County)
Sheriff Bryan Backus (Ritchie County)
Captain R.W. Lively, Troop Four Commander,
West Virginia State Police
Patrick S. Casey, Esquire (Ohio County)
Staff: Angela Saunders, Director of Court Services,
Supreme Court Administrative Office
Staff: Arthur Angus, Director of Court Security, Supreme
Court Administrative Office
Staff: Leslie Boggess, Associate Deputy Director of
Criminal Justice Services
Staff: April Dickenson, Criminal Justice Specialist II,
Criminal Justice Services

West Virginia Wiretapping and Electronic Surveillance Act

The Act requires the Chief Justice to designate five active circuit court judges who individually 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 Arthur M. Recht, First Judicial Circuit
(Brooke, Hancock, and Ohio Counties)
Circuit Judge O.C. Spaulding, Twenty-Ninth Judicial
Circuit (Putnam County)
Circuit Judge Christopher C. Wilkes, Twenty-Third
Judicial Circuit (Berkeley, Jefferson, and Morgan
Counties)

Business Court a Work in Progress



From left: Twenty-Third Judicial Circuit (Berkeley, Jefferson, and Morgan Counties) Judge Christopher C. Wilkes; Eighth Judicial Circuit (McDowell County) Judge Rudolph J. Murensky, II; Twenty-Second Judicial Circuit (Hampshire, Hardy, and Pendleton Counties) Judge Donald H. Cookman; Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties) Judge James J. Rowe; and Twenty-Fourth Judicial Circuit (Wayne County) Judge Darrell Pratt, chairman, met on September 30 in Charleston with invited attorneys and business representatives to discuss the proposed rules. *Photo by Jennifer Bundy*

The Supreme Court's Business Court Committee continued to meet throughout 2011 so proposed rules to establish such a court in West Virginia could be presented to the Supreme Court for review in early 2012.

The Committee met on September 30, 2011, with an invited group of attorneys and others representing thousands of businesses across West Virginia. Supreme Court Justices Robin Jean Davis and Menis Ketchum also attended the day-long session at the Charleston Marriott Town Center Hotel.

The group went through the second draft of proposed written rules for a Commercial Litigation Court, and the attorneys and business representatives suggested numerous changes. Those suggestions were incorporated into a third draft.

The purpose of the meeting with business representatives was to seek input from the groups

that would be most affected by the rules. The group represented parties most likely to suggest problems the committee drafting the rules did not anticipate and were the most likely to suggest solutions to those problems, said Business Court Committee Chairman Darrell Pratt, a Circuit Judge in the Twenty-Fourth Judicial Circuit (Wayne County).

"We think now we can come out with a better version of proper rules," Judge Pratt said.

Marc Williams, an attorney with Nelson Mullins Riley & Scarborough in Huntington, said he appreciated the opportunity to discuss the rules with the judges as they were being written, rather than simply waiting to comment during the public comment period.

The rules for West Virginia's proposed Commercial Litigation Court are largely modeled on rules for similar courts operating in Maryland and North Carolina because those states have similar

types of businesses as West Virginia, Judge Pratt said.

The Supreme Court established the Business Court Committee in June 2010 in response to House Bill 4352, which the Legislature passed in March 2010.

Other members of the committee are Circuit Judge Donald Cookman of the Twenty-Second Judicial Circuit (Hampshire, Hardy and Pendleton Counties); Circuit Judge Rudolph J. Murensky, II, of the Eighth Judicial Circuit (McDowell County); Circuit Judge James J. Rowe of the Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties); Circuit Judge Susan B. Tucker of the Seventeenth Judicial Circuit (Monongalia County); and Circuit Judge Christopher Wilkes of the Twenty-Third Judicial Circuit (Berkeley, Jefferson, and Morgan Counties).

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 John A. Hutchison of the Tenth Judicial Circuit (Raleigh County); Judge Booker T. Stephens of the Eighth Judicial Circuit (McDowell County); Judge Jay M. Hoke of the Twenty-Fifth Judicial Circuit (Boone and Lincoln Counties); Judge Derek C. Swope of the Ninth Judicial Circuit (Mercer County); Judge James P. Mazzone of the First Judicial Circuit (Brooke, Hancock, and Ohio Counties); and Judge Thomas C. Evans, III, of the Fifth Judicial Circuit (Jackson and Mason Counties).

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

Digitek® Litigation Kanawha County

Alan D. Moats, Lead Judge
Booker T. Stephens, Presiding Judge
Derek C. Swope, Presiding Judge

Float-Sink Litigation Raleigh County

John A. Hutchison, Lead Judge
Alan D. Moats, Presiding Judge
Thomas C. Evans, III, 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 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 Judge
John A. Hutchison, Presiding Judge
Jay M. Hoke, Presiding Judge
Derek C. Swope, Lead Resolution Judge
Alan D. Moats, Resolution Judge

Overweight Trucks Litigation Lincoln County

Jay M. Hoke, Presiding Judge

Tobacco Litigation Ohio County

Arthur M. Recht, Presiding Judge

Digitek® Litigation

By the end of 2011, all West Virginia Digitek® cases were settled, with only a few issues relating to completion of settlements remaining to be resolved.

Float-Sink Litigation

The Float-Sink Litigation consists of 129 cases filed in seventeen circuit courts in West Virginia. Plaintiffs allege they used or were otherwise exposed to various toxic chemicals, predominantly perchloroethylene (“PCE” or “Perc”) in the course

of their work in float-sink labs in West Virginia. Plaintiffs assert “deliberate intent” claims against employer defendants pursuant to West Virginia Code §23-4-2(d) (2)(ii) and causes of action for strict products liability, negligence for failure to warn, and medical monitoring against manufacturer and distributor defendants.³

On January 24, 2011, with the advice and consent of the panel, Chairman Moats entered an order assigning Judge Hutchison to serve as Lead Presiding Judge, with Judge Swope

and Judge Evans assisting as Presiding Judges.⁴ Judge Hoke was assigned to serve as Lead Resolution Judge, with Judge Stephens and Judge Mazzone assisting as Resolution Judges. On February 11 Judge Hutchison entered an order transferring and consolidating the Float-Sink Litigation, including all court files, in the Circuit Court of Raleigh County. The litigation was designated for electronic filing and service on May 10. All of the judges assigned to the litigation held a status and scheduling

¹Although he does not serve on the Mass Litigation Panel, First Circuit Judge Ronald C. Wilson presides in the Asbestos Personal Injury Litigation, conducting trial groups of approximately twenty cases in February, June, and October each year.

²Although he does not currently serve on the Mass Litigation Panel, First Circuit Judge Arthur M. Recht presides in both the FELA Asbestos Litigation and the Tobacco Litigation.

³The Float-Sink Litigation is related to *Katy Addair, et al. v. Litwar Processing Company, LLC, et al.*, Civil Action No. 04-C-252 (“the *Addair* Litigation”), a group of cases pending in the Circuit Court of Wyoming County, West Virginia, since 2004. The same counsel represents the plaintiffs in the *Addair* Litigation and the Float-Sink Litigation, and the same claims are asserted against the manufacturer, distributor, and employer defendants – that plaintiffs were harmed as the result of exposure to perchloroethylene or “PERC” in the course of their employment in Float-Sink Laboratories in West Virginia.

⁴Judge Alan D. Moats was later assigned to replace Judge Derek C. Swope as one of the Presiding Judges in the Float-Sink Litigation when Judge Swope was appointed by the Chief Justice to preside in the class action lawsuit of *Bibb v. Monsanto*, Civil Action No. 04-C-465, pending in the Circuit Court of Putnam County, West Virginia.

conference on June 10. On August 12, the Presiding Judges approved fact sheets for plaintiffs and defendants and ordered the parties to serve their responses no later than October 10. The Presiding Judges entered a Case Management and Scheduling Order on October 18, and on December 5 scheduled a hearing to address numerous discovery and dispositive motions.

Flood Litigation

The panel will conclude this litigation with an accounting of any unclaimed settlement checks.

Mingo County Coal Slurry Litigation

The Mingo County Coal Slurry Litigation consists of 368 cases⁵ originally filed in the Circuit Court of Mingo County. More than seven hundred plaintiffs alleged their well water was contaminated when defendants Rawl Sales & Processing Company and Massey Energy Company stored coal slurry in underground mine workings and an above-ground impoundment. Plaintiffs sought damages for personal injury and property damage, injunctive relief in the form of medical monitoring, and environmental remediation for public and private nuisance. Defendants denied liability and asserted that their storage of coal slurry was consistent with good mining practices. A third-party insurance coverage action was also filed by defendants against numerous primary and excess insurance carriers.

Lead Resolution Judge Swope and Resolution Judge Moats reconvened mediation on February 22 and 23. As a result of the second mediation, settlement was reached for plaintiffs' medical monitoring claims. The Presiding Judges entered a case management order on March 8; selected the first trial group on April 19; and entered an order setting forth the trial plan

for the first trial group, scheduled to begin trial on August 1. Lead Presiding Judge Mazzone, along with Presiding Judge Hutchison and Presiding Judge Hoke, conducted hearings on motions to exclude expert witnesses on May 19 and 20; plaintiffs' motion for preliminary approval of partial class action settlement and renewed motion to certify a limited medical monitoring class for settlement purposes on June 17; and motions in limine and dispositive motions on July 21 and 22. Lead Resolution Judge Swope and Resolution Judge Moats conducted mediation for the third time on July 25 and 26. The July mediation resulted in settlement of all remaining aspects of the litigation. Through the end of 2011, the Court granted plaintiffs' motion to establish a Qualified Settlement Fund and appoint a fund administrator and trustee; appointed more than sixty guardians *ad litem* to represent the interests of more than one hundred minor plaintiffs and several incompetent, incarcerated, or missing plaintiffs; and conducted two hearings regarding the proposed settlement.

Overweight Trucks Litigation

Plaintiffs have moved the Court to dismiss the class action allegations and claims for relief contained in the Regional Complaint for Nuisance and Damage for Overweight Trucks filed originally in the Circuit Court of Mingo County, West Virginia, and styled *Denver Mitchell, et al. v. Delbarton Mining Company, et al.*, Civil Action No. 04-C-88.

Electronic Filing and Service in Mass Litigation

From January 2011 through December 2011, 71,715 documents were e-filed and 2,429,098 documents were e-served using LexisNexis File &

Serve®. The statistics represent total volume between the Asbestos Personal Injury, Digitek®, Float-Sink, Flood, Mingo County Coal Slurry, and Tobacco Personal Injury Litigations. 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 2011, the number of pages electronically filed in all mass litigation cases subject to electronic filing and service totaled 463,337, which equals a little more than 193 boxes of paper documents, based on 2,400 pages per box. From December 2008, when electronic filing and service was implemented in certain mass litigation cases, through the end of December 2011, a total of 1,075,125 pages were filed electronically, an amount almost equal to 448 boxes of paper documents.

From January 2011 through December 2011, a total of 7,816 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.

The following is a breakdown of orders by each mass litigation subject to electronic filing and service.

	Jan-Dec 2011
Tobacco	20
Coal Slurry	102
Float-Sink.....	37
Flood	1
Digitek	0
Asbestos	7,656
TOTAL	7,816

⁵This number includes the third-party insurance coverage action.

Commission to Review Juvenile Justice Facilities, Procedures



The Adjudicated Juvenile Rehabilitation Review Commission meets in the Supreme Court Chamber. *Photo by April Harless*

Chief Justice Margaret L. Workman announced on June 13 the establishment of an Adjudicated Juvenile Rehabilitation Review Commission to look at the Division of Juvenile Services' operations plan and programs at the Industrial Home for Youth in Salem and at the Honey Rubenstein Center in Davis. The Commission will report its findings to the Supreme Court.

Although the scope of the Commission's work initially will be focused on two locations, it can expand its review to other facilities operated by the Division of Juvenile Services and the Department of Health and Human Resources if it deems it necessary, said Chief Justice Workman, who personally is chairing the Commission.

"It is my hope that the report of this Adjudicated Juvenile Rehabilitation Review Commission can be used by the legislative and executive branches to improve the system of rehabilitation of adjudicated juveniles, and that no further action by the Court will be warranted," Chief Justice Workman said.

Chief Justice Workman previously had been leading the Supreme Court in a study of juvenile justice issues for more than a year. "We had to be very concerned to move in this direction. I think it's in order, and it's time for us to do it," she said.

"I want to work cooperatively with the other branches," she said. However, if the Commission finds a high number of systemic irregularities, the Supreme Court does have the authority to appoint a special master or receiver to oversee the juvenile justice system in West Virginia.

The Court is concerned because, when juveniles are sent to the custody of the Division of Juvenile Services, their cases remain open for judicial review. Consequently, judicial officers have a special interest in how adjudicated juveniles are being disciplined, educated, and rehabilitated.

"Of all of the cases that face a judge, none strike at the heart more than those involving juveniles in trouble. When an offender, therefore, is sent to the state's secure facility for adjudicated juveniles in Salem,

the Industrial Home for Youth, the judge places faith in that facility's programs and its operations to offer opportunities for the juvenile to turn his or her life around and to leave the facility with the best possible hope of a successful, productive, crime-free life," Chief Justice Workman wrote in a letter to those whom she appointed to the Commission.

"Unfortunately, during the last few years, a number of incidents have been reported that have caused judges and justices to be concerned if the best programs for positive outcomes are actually being instituted," Chief Justice Workman's letter said.

Rehabilitating juveniles is not only a humanitarian endeavor, it also makes good fiscal sense, Chief Justice Workman said when announcing the Commission. Every youth who is deterred from committing a crime saves the state money that otherwise would be spent on prosecution and incarceration.

Children in custody are wards of the court, and it ultimately is the judicial system's responsibility to make sure they are safe, educated, and rehabilitated, she said.

"I can't sleep well at night thinking that it's by my hand, at least in part, that a child in such a location is not being treated humanely, in a safe manner, and in a way that's going to be the most effective in getting his or her problems corrected," Chief Justice Workman said.

"This is not just a commission where the end result will be a good-looking, glossy, high-quality printed report. This commission will accomplish something."

The commission's mission statement says, in part, "It is the Supreme Court's desire that West Virginia serve these youths and their families within a sound framework of public safety while providing guidance, structure, and appropriate, evidence-based services. Circuit judges need to be confident that those youths whom they sentence to the Industrial Home for Youth at Salem are given, through rehabilitative programs, every opportunity for success after their confinement."

The commission members are

- Chief Justice Margaret L. Workman, Chairwoman
- Supreme Court Administrative Director Steve Canterbury, former Executive Director of the Regional Jail and Correctional Facility Authority (In that capacity he directed construction of several correctional facilities, including the residence hall at the Industrial Home for Youth in Salem.)
- Circuit Judge Gary Johnson of the Twenty-Eighth Judicial Circuit (Nicholas County), also Chairman of the Court Improvement Program Board
- Circuit Judge J. Lewis Marks, Jr., of the Fifteenth Judicial Circuit (Harrison County)
- Judge Omar Aboulhosen of the Ninth Judicial Circuit (Mercer County)
- Jefferson County Magistrate Gail C. Boober
- Cindy Largent-Hill (Morgan County), former director of the Division of Juvenile Services and current director of programs for Timber Ridge Schools
- The Rev. Rue Thompson (Upshur County), Director for State Facilities, Holy Rosary Parish
- Attorney Jane Moran (Mingo County), original member of the Juvenile Justice Committee in the 1980s and current member of the Court Improvement Program Board
- Megan Annitto, Director of the Center for Law and Public Service at West Virginia University College of Law
- Sam Hickman (Kanawha County), Chief Executive Officer, National Association of Social Workers, West Virginia Chapter



Chief Justice Margaret L. Workman looks at a newspaper story about a boy who died at the Industrial Home for Youth in Salem. Photo by Chip Ellis, The Charleston Gazette

Justice Davis Promotes Judicial Truancy Programs



Justice Robin Jean Davis (left) and Nineteenth Judicial Circuit (Barbour and Taylor Counties) Judge Alan D. Moats (right) talk about judicial efforts to combat truancy. *Photos by Michael Switzer*

The Supreme Court has made improving the lives of children an important part of the administrative agenda of the court system. In 2011, at the urging of circuit judges, the Court began a statewide truancy initiative with Justice Robin Jean Davis as the designated leader.

Justice Davis appeared at more than a dozen meetings around West Virginia to discuss ways the court system can work with educators, the Department of Health and Human Resources, and other community officials to keep children in school.

Justice Davis was accompanied by Nineteenth Judicial Circuit (Barbour and Taylor Counties) Judge Alan Moats, who was inspired to start an anti-truancy program in his circuit when he realized he was seeing the same people in adult criminal court whom he had once seen as truants. Nationally, statistics show that many students who are habitual truants end up dropping out of school, and many dropouts

end up in prison at some point in their lives. About 75 percent of prison inmates are dropouts, and more than eighty percent are functionally illiterate. In the fall of 2011, of the forty-four people indicted in his circuit, thirty-one were dropouts, Judge Moats said.

"Our state jails and prisons are overflowing. We can't afford to wait another minute to address this problem, or to allow another young life to be wasted," Justice Davis said. This problem affects every single aspect of life. It's everybody's problem," Judge Moats said.

Justice Davis and Judge Moats emphasized in the regional meetings that truancy must be addressed in elementary school, before bad habits are established. Truancy of young children can be handled as abuse and neglect cases through the Department of Health and Human Resources.

The goal of the regional meetings was to demonstrate the seriousness of truancy and its potential consequences.

Justice Davis and Judge Moats also encouraged the creation of community programs to reduce truancy that include judicial involvement. Because West Virginia is so diverse, a truancy reduction program that works in one area may not work in another, so Justice Davis and Judge Moats asked those attending each meeting to work together to establish a local program that takes advantage of that community's assets and addresses that community's unique problems.

Besides Judge Moats, several other circuit judges already have established truancy programs. Greenbrier County, Logan County, Nicholas County, Putnam County, Mercer County, and Wayne County each have a truancy program. As Justice Davis attended the regional meetings, she secured commitments from other judges to work on truancy. Within the Supreme Court Administrative Office, the Division of Children's Services was

designated to give those judges any needed assistance and to staff the initiative.

The Supreme Court launched the truancy initiative after circuit judges from around West Virginia discussed truancy during the Judicial Conference in Charleston in June. Judges were joined in that discussion by State Schools Superintendent Jorea Marple; then-Board of Education President Priscilla Haden; Senate Education Chairman Robert Plymale, D-Wayne; and House Education Chairwoman, Mary Poling, D-Barbour. They agreed that the three branches of government must work together on the issue.

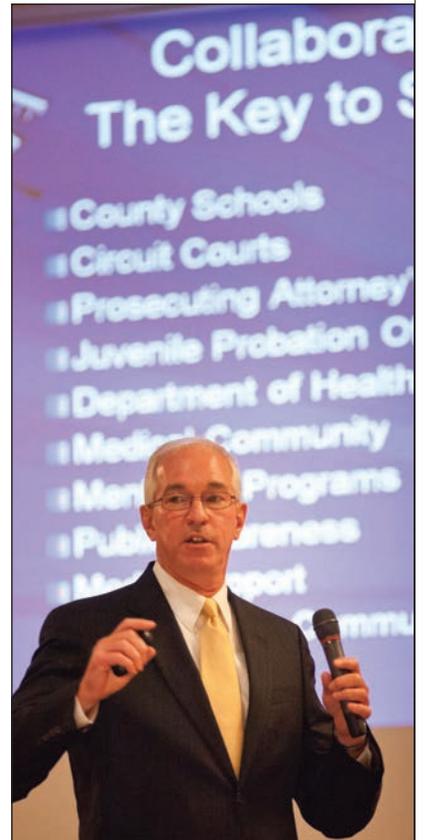
The American Federation of Teachers-West Virginia, the West Virginia Education Association, and the West Virginia School Service Personnel Association have endorsed the Supreme Court's truancy initiative.

"Public schools have a broad

mission. They must provide a thorough and efficient education to all," Justice Davis said. "They must accept all students; each student is a unique bundle of hopes – and problems. But schools cannot solve all of the students' problems. If they are abused, neglected, hungry, or afraid, they need the help of social services and the court system."

Regional meetings were held

September 13 in Charleston,
September 15 in Clarksburg,
September 16 in Morgantown,
September 23 in Lewisburg,
October 7 in Huntington,
October 27 in Summersville,
October 28 in Logan,
November 1 in Martinsburg,
November 2 in Keyser,
November 3 in Elkins,
November 4 in Beckley,
November 7 in Point Pleasant,
November 14 in Wheeling, and
November 15 in Parkersburg.



Judge Alan D. Moats gives his truancy presentation in Charleston in 2011. Photos by Michael Switzer



Justice Robin Jean Davis speaks to attendees of the Nicholas County regional truancy meeting. Photos by Michael Switzer



Top left: Access to Justice Commission members Adrienne Worthy, Robert Baker, and Jeffrey Shawver listen to presentations at the Huntington Access to Justice forum. Bottom left: Access to Justice Director Deborah Bogan speaks at the Charleston Access to Justice forum. Right: Justices Brent D. Benjamin and Menis E. Ketchum answer questions at the Huntington Access to Justice forum. Photos by Michael Switzer

The West Virginia Access to Justice Commission worked in 2011 to carry out the Supreme Court's directive to "examine, identify, and analyze various barriers West Virginians face when using our legal system."

The Commission hired its first full-time Director, Deborah Bogan, who began work March 1, 2011. Ms. Bogan spoke at West Virginia State Bar fall regional meetings to promote equal justice and to explain the problems many West Virginians face in accessing the civil justice system. She also encouraged attorneys and the judiciary to help expand access to justice and develop future efforts in West Virginia.

Between August and November 2011, the Commission held public forums in Beckley, Martinsburg, Huntington, Wheeling, Morgantown, and Charleston to gather information about problems the public encounters when using the courts in West Virginia. Citizens from all walks of life were

encouraged to attend and speak to commissioners. Information received by the Commission was extraordinarily thoughtful, well-presented, and informative. While information at each location varied, it was typically applicable to the citizens of West Virginia as a whole.

Citizens reported difficulties navigating the court system as self-represented litigants, the pitfalls of domestic relations cases, and the fear abuse victims have sitting in common waiting areas with their attackers while waiting for domestic violence hearings to take place. Speakers reported that some people who are given guardianship or power of attorney authority abuse that authority. American Sign Language interpreters told Commissioners that court employees who deal with the public need to have more education about hearing loss and hearing-impairment, and they said there is a need for interpreters to be more readily available in courts.

Those with other physical disabilities talked about the literal barriers they face when handicapped parking spaces are nowhere near handicapped entrances to court buildings. Other speakers said improper signage or a lack of signage in some buildings confuses people trying to find their way in unfamiliar court facilities. Speakers also reported a need for counsel for citizens who have behavioral or mental health issues. Others said college students from foreign countries are not familiar with the American legal system and may need assistance because they may not know to whom to turn for guidance when they interact with the courts.

Several speakers had suggestions to improve access to the courts. For example, a veterans' court could create a therapeutic environment that would foster rehabilitation for veterans who agree to treatment in lieu of incarceration; it would operate similarly to existing drug courts.

Access to Justice Commission

Chairman

- Robert S. Baker, Esquire

Commission Members

- Robert M. Bastress, Jr., Esquire
John W. Fisher, II, Professor of Law
West Virginia University College of Law
- Brent D. Benjamin
Justice
Supreme Court of Appeals of West Virginia
- Steven D. Canterbury
Administrative Director
Supreme Court of Appeals of West Virginia
- Harry Deitzler, Esquire
- 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
- Michael Kawash, Esquire
Robinson & McElwee PLLC
- Patricia A. Keller
Family Court Judge
Cabell County
- Tiffany Lawrence
Delegate, 58th District (D-Jefferson)
West Virginia House of Delegates
- 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
Pullin, Fowler, Flanagan, Brown and Poe PLLC
- Molly Russell
Student Liaison
West Virginia University College of Law
- Jeffrey M. Shawver, Esquire
Deputy General Counsel
Office of Governor Earl Ray Tomblin
- Reagan Whitmyer, Esquire
Assistant Prosecuting Attorney
Kanawha County
- Adrienne Worthy
Executive Director
Legal Aid of West Virginia

Director

- Deborah M. Bogan

Other speakers recommended more training for those who assist the elderly in several very specific areas. Speakers also suggested that if there were better coordination of legal issues between housing and welfare agencies, it would help domestic violence victims keep their homes.

Others suggested more public education and printed guides for self-represented litigants and more training for court staff to assist them. Speakers also recommended the expansion of *pro bono* work by attorneys around the state and the continued expansion of legal clinics at West Virginia University College of Law. Speakers also suggested that advocates be available in courthouses to assist those who have questions or need help.

These were among a myriad of issues brought before the Commission.

The Commission will present a report on its findings to the Supreme Court of Appeals of West Virginia. The next step will be to devise, coordinate, and oversee a strategic plan for a statewide, integrated, non-duplicative legal services delivery system. That system must be responsive to the needs identified at the forums and identify how those needs are currently being met. The Commission then will develop sub-committees to address the issues raised at the forums.



Commission member Kevin Robinson listens to a member of the public speak in Martinsburg. Photo by Michael Switzer

State Law Library

The West Virginia State Law Library was created in 1849. The “modern” Library evolved in the twentieth century under the direction of State Law Librarian B.H. Oxley, who was appointed by Governor Cornwell in 1917. The library collection was designed to aide government officials, but the public was allowed to use materials on the premises. Early in the 1920s, J.A. Jackson was appointed State Law Librarian by the Supreme Court of Appeals of West Virginia, and he held that position for more than forty years.

By 1928 the State Law Library had moved into its current home in the East Wing of the State Capitol. Famed architect Cass Gilbert designed the current library stack space using the bookshelves as columns and hanging the structure of the upper three levels from metal beams. The floors of the intermediate levels are made of translucent glass imported from Italy.

The State Law Library has evolved into an agency serving the legal information needs of all West Virginia citizens. The 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 West Virginia State Law Library is a partial Federal Depository Library with government documents in paper and on microfiche.

The Library is open to the public six days a week. Under the direction of State Law Librarian Kaye L. Maerz, the Library also provides case reports, statutes, regulations, legislative materials, and periodicals. A staff of three professional librarians and four paraprofessionals provide 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.

The State Law Library’s 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 State Law Library accomplishes this through the acquisition of print and electronic resources, the creation of policies and rules for the use of these resources, and the periodic review of library programs and services. The Library provides access to law-related information to the judiciary, governmental agencies, the legal community, state correctional institution inmates, and the public.

The West Virginia judicial library system includes three regional law libraries in Clarksburg, Martinsburg, and Beckley that are staffed with a full-time local law librarian to assist patrons. Regional law libraries have excellent collections of primary legal sources with emphasis on West Virginia case law, codes, and regulations. Free computer access to the Internet is also available at these locations. Due to lack of use, the Supreme Court closed regional law libraries in Huntington, Parkersburg, and Wheeling in 2011.

The State Law Library at the Capitol in Charleston has wireless Internet access service (WiFi) free of charge, available throughout the library. 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 access to Shepard’s® Citation Service online with West Virginia primary law such as the West Virginia Code and Court Rules, state administrative materials, the West Virginia Law Review, Martindale-Hubbell law directory, West Virginia Mealey’s Litigation NewsBriefs, and certain

state newspapers. The service is free and available at the State Law Library, the three regional libraries, and the Kanawha County Law Library.

The Library also offers workshops on legal-related topics of interest to the general public and special programs designed to help self-represented litigants who need assistance navigating the judicial system. In 2011 the Library held workshops on résumé writing, online job searching, and the legal choices a person may face when making medical care decisions.

This year the Library also hosted a January meeting of Kanawha Valley Relatives as Parents (KV-RAP), a group whose mission is to share experiences and raise awareness of the dynamics of raising children of relatives; a public open house on May 2 in honor of Law Day; an observance of National Library Week; and a separate observance of Banned Books Week. Library staff also participated in Library Day at the Legislature in the Capitol rotunda.

For the third year, the State Law Library participated 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 offered free assistance with basic income tax preparation for taxpayers earning less than \$49,000. The EITC is a special federal tax credit for working families. During the program’s run between February 15 and April 17, a total of 179 tax returns were prepared. Tax assistance was also offered at the Berkeley County Law Library in Martinsburg, where law librarian Heather McClung assisted more than 120 taxpayers.

For information about future programs or workshops, call the State Law Library at (304) 558-2607 or visit its website page at www.courtsww.gov/public-resources/law-library/law-library-home.html.

Division of Children's Services

The Supreme Court of Appeals of West Virginia created a Division of Children's Services within its Administrative Office in 2008, at the suggestion of Administrative Director Steve Canterbury. The Division provides support for the Court Improvement Program and administers the Court's children's programs, including LAWS (see story page 34); West Virginia Law Adventure (see story page 36); Robes to Schools (see story page 38); *Justice Case Files* (graphic novels for high school seniors); iCivics; and Adoption Month activities in November.

Director Nikki Tennis and Public Education Coordinator Kandi Greter collaborate with numerous private non-profit groups and state agencies.

Court Improvement Program

The Supreme Court established the West Virginia Court Improvement Program Oversight Board in 1995 to enhance outcomes for children and families in child abuse and neglect cases. Continuing the work of the Broadwater Committee named for the late U.S. District Judge Craig Broadwater, who was its chairman. The Court established the committee in the mid-1990s during Chief Justice Margaret Workman's previous tenure on the Supreme Court, the Court Improvement Program is funded by federal grants from the Administration for Children and Families and matching Court funds. The board and its



Herbert Hoover High School students accept a poster of Supreme Court Justices from Chief Justice Margaret L. Workman after performing their mock trial in the Supreme Court Chamber in April. *Photo by Michael Switzer*

subcommittees carry out the West Virginia Court Improvement Program to 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.

Among the projects funded in 2011 were training meetings for judges, prosecutors, child and parent attorneys, foster parents, DHHR 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 goal of the two-day cross-training sessions, offered annually for more than a decade, is to improve how these important cases are handled. The seminars were sponsored by the Supreme Court and the

West Virginia Coalition Against Domestic Violence. More than six hundred participants attended the 2011 conferences, which were held July 14-15 at Snowshoe Mountain Resort, July 18-19 at Bridgeport Conference Center, and July 21-22 at Chief Logan Conference Center.

Civic Education Programs

Graphic novels

The National Center for State Courts has created a series of graphic novels on various legal situations that may be relevant to young adults. A new volume of the series, called *Justice Case Files*, is published about once a year. The Division of Children's Services personalizes and distributes the novels to high school seniors in mandatory civics classes each year.

■ LAWS: A Great Learning Opportunity



The Supreme Court heard an argument docket at the Marshall County Courthouse on March 9, 2011. *Photo by Michael Switzer*

The Supreme Court fulfilled a promise to students in the Second Judicial Circuit when it heard cases on March 9, 2011, at the Marshall County Courthouse in Moundsville. The LAWS program that had been scheduled for 2010 in Moundsville was cancelled because of the high number of school days missed that year due to snow, so the Court held the 2011 program there. High school students from the Second Judicial Circuit (Marshall, Tyler, and Wetzel Counties) were once again invited, and students from John Marshall High School's Broadcast Technology provided the live webcast of the Court session.

LAWS (Legal Advancement for West Virginia Students) is a partnership between the court

system, schools, the Bar, and the community to teach students about the Judicial Branch of government. Since Justice Robin Jean Davis began the program when she was Chief Justice in 1999, more than 4,200 high school and college students in twenty-two counties have participated.

In 2011, teachers attended a training session with Supreme Court personnel and local circuit judges on January 28. They 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. Later, volunteer attorneys from the area 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. The attorneys and students also had an informal lunch with the Justices.

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, and Lewisburg.

"The Justices and I all regretted that we were not able to hold the LAWS program last year," said Chief Justice Margaret Workman. "We always enjoy the opportunity the program gives us to meet bright young West Virginians and show them how their

legal system works. I personally enjoy getting to talk to students at lunch. I have found their questions about our jobs insightful and their enthusiasm contagious.”

Students said they were grateful for the opportunity to see the Court in person.

“I think it’s great for them just being here. It’s nice of them to do this. It’s one thing seeing a mock case, but these are actual cases. In class we kind of made the justices out to be elite. We didn’t really think they would be as personable as they are,” said John Marshall High School senior Matthew Palmer, who had lunch with Justice Brent D. Benjamin and other students at the former West Virginia Penitentiary.

Cameron High School junior Jessie Fletcher said, “It’s interesting to learn the stuff they do in court. None of us have been to a court like this before.”

The Supreme Court always webcasts its oral arguments live no matter where it hears cases, but high school students had never before provided the broadcast. Student Paige Madden acted as video director. “This experience broadens our horizons,” she said. “It’s neat to be involved in the broadcast of something we also studied. It’s interactive and great for everyone involved.”

Heath Kale put names of the speakers on the video feed. “It’s been scary,” he said. “I wanted it to be spot-on and perfect so people don’t think, just because we are high school students, we are not capable.”

“The Supreme Court is very grateful to the school for its support of the LAWS program,” said Court Clerk Rory Perry.



John Marshall High School broadcast students provide video for the live webcast at the March 9 arguments. *Photo by Michael Switzer*



Students listen to arguments at the Marshall County Courthouse in Moundsville. *Photo by Michael Switzer*



Justice Robin Jean Davis greeted a student at the LAWS luncheon in Moundsville, West Virginia. *Photo by Michael Switzer*

West Virginia Law Adventure



Left: Thirteenth Judicial Circuit (Kanawha County) Judge Louis H. "Duke" Bloom talks to students performing their mock trial at the Kanawha County Judicial Annex in Charleston. *Photo by Michael Switzer*

Right: Bluefield Middle School students present their mock trial in January in front of Ninth Judicial Circuit (Mercer County) Judge Omar Aboulhosn. *Photo courtesy of Judge Aboulhosn*

Guilty or not guilty – that was the question posed to student jurors from around West Virginia as the 2011 West Virginia Law Adventure mock trial program progressed. Students wrote scripts based on one of three criminal case scenarios in the Law Adventure rules book. In 2011 those scenarios involved a bank robbery, a malicious assault, and a murder. Students performed their scripts in front of a judicial officer at a courthouse, then mailed their scripts to the West Virginia State Bar. The Bar's Young Lawyers Section chose winners, and the winners were invited to perform their mock trials at the Supreme Court. Students' trips to the Supreme Court and their local courthouses were paid for by a grant from the West Virginia Bar Foundation.

Ten schools from seven counties participated in the program in the 2010-2011 academic year. Of those, students

from Kanawha County's Herbert Hoover High School and Horace Mann Middle School, Wood County's Jackson Middle School, and Western Greenbrier (County) Middle School performed in the Supreme Court in April.

Although not every school made it to Charleston, being able to write a trial transcript, act it out in a real courtroom, and get the feedback of circuit judges or magistrates provided valuable learning opportunities for students.

When students from Keyser Primary-Middle School visited the Mineral County Courthouse in February, Twenty-First Judicial Circuit (Grant, Mineral, and Tucker Counties) Judges Lynn Nelson and Phil Jordan, Prosecuting Attorney Cody Pancake, law clerk Nicholas Goff, and local attorney Max White were there to watch. Judge Nelson suggested the students slow down and give "jurors" time to digest what they were hearing. "You don't just want

to say something to the jurors; you want them to hear what you're saying. Make sure they grasp it," he told the students, according to an article in the *Mineral Daily News-Tribune*.

Bluefield Middle School students worked on their case for more than a month before presenting it to Ninth Judicial Circuit (Mercer County) Judge Omar Aboulhosn in January. Tyler Easley, 13, portrayed a fictional bank robber. He said he did not think he was innocent – but the jury did, according to the *Bluefield Daily Telegraph*.

In Lewis County, students from Robert L. Bland Middle School performed their trial in February in front of Magistrate Sharon Hull, who offered constructive criticism as the students went along. In Barbour County, Magistrate Kathi McBee did the same when she presided in January in a "trial" written by a group of gifted students in sixth,

seventh, and eighth grade brought together from schools all over the county. Other middle school students helped fill-out the presentation.

“It was exciting. I learned what it feels like to be in a real courtroom and experienced the things witnesses go through,” said Kasson Middle School sixth-grader Anthony Phillips.

Gifted teacher Laura Coe said when students began working on the script in October, they knew very little about the law. “They thought the ‘Judge Judy’ scenario kind of courtroom was realistic,” she said.

They learned about Constitutional rights of defendants, courtroom procedure and etiquette, and the law. Because they chose the malicious assault case, for example, they learned in detail the importance of the word “intent” in the statute.

And in Barbour County, the verdict: Not guilty.



Students from Jackson Middle School perform their mock trial in the Supreme Court in Charleston. *Photo by Michael Switzer*



Chief Justice Margaret L. Workman presents Herbert Hoover High School student Tyler Casillas with a certificate. *Photo by Michael Switzer*

Robes to Schools



Senior Status Judge Dan O’Hanlon (center) poses with Justin T. Setliff (left) and W. Austin Smith, II (right), at a ceremony to announce the winners of the Dan O’Hanlon-John Marshall Constitution Week Essay Competition on September 19 at Marshall University. Smith won the competition and received \$1,250. Setliff was the runner-up and received \$750. Photo courtesy of *The [Huntington] Herald-Dispatch*

The Robes to Schools program was established in 2007 to encourage justices, judges, and magistrates to interact more with West Virginia students. Robes to Schools supports the state Department of Education’s Partnership for Twenty-First Century Skills goal of improving civic literacy, and it has been endorsed by the West Virginia Board of Education. The program 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. In 2011, judicial officers participated in the following events.

□ Judge Rudolph J. Murensky, II, of the Eighth Judicial Circuit (McDowell County) and Kanawha County Magistrate Julie Yeager were among jurists who read to students in honor of Dr. Seuss’ birthday on March 2. Read Across America Day is an annual event held on the birthday of the late Theodor Seuss Geisel. Judge Murensky delivered the Reader’s Oath to about three hundred students at Kimball Elementary School. Magistrate Yeager delivered the Reader’s Oath to students at Montrose Elementary, spoke to a St. Albans High School civics class, and read to students at Chesapeake Elementary School and Teays Valley Christian School.

□ Magistrate Yeager presided over a mock trial in the Kanawha

County Judicial Annex on April 27. The bench trial was performed in front of students from Craig Giffin’s criminal law class at Kanawha Valley Community and Technical College. Magistrate Yeager wrote the script, which concerned a domestic battery case that would typically be heard in magistrate court.

□ Judge Robert A. Waters of the Fourth Judicial Circuit (Wirt and Wood Counties) and his wife, Wood County Magistrate Robin Waters, spoke to about one hundred eighth-grade students at Jackson Middle School on May 27. They talked to West Virginia Studies classes taught by William F. Hughes, Jr., about due process in magistrate courts and circuit courts.

□ In May, Judge Tod J. Kaufman of the Thirteenth Judicial Circuit (Kanawha County) read to second- and third-grade students at Sharon-Dawes Elementary School in Cabin Creek, Kanawha County.

□ Judge Phillip M. Stowers of the Twenty-Ninth Judicial Circuit (Putnam County) spoke to a civil litigation class at the Kanawha Valley Community and Technical College on September 13 and Kanawha County Magistrate Julie Yeager visited the same class in October. Craig Giffin teaches the class, which is part of the college’s two-year paralegal studies program. The class visited the Supreme Court of Appeals and heard oral arguments in several cases on September 7.

□ On September 19, Senior Status Judge Dan O'Hanlon announced that W. Austin Smith, II, was the winner of the Dan O'Hanlon-John Marshall Constitution Week Essay Competition at Marshall University. Smith, who received \$1,250, is a senior from Huntington who is a criminal justice major with a legal studies concentration. Justin T. Setliff was the runner-up and received \$750. Also a senior from Huntington, he is a political science major who is obtaining a minor in history. The theme of the third annual contest was "How Shall the Constitution be Interpreted?" The contest honors Marshall and O'Hanlon, a former professor and chairman of the Marshall University Criminal Justice Department.

□ Judge Michael Aloï of the Sixteenth Judicial Circuit (Marion County) gave a presentation on September 19 in commemoration of Constitution Day entitled "Citizenship and the Constitution." The presentation was in the Ruth Ann Musick Library on the shared main campus of Fairmont State University and Pierpont Community and Technical College. Congress established Constitution Week in 1956 to begin each year on September 17, the date in 1787 when delegates to the Convention signed the Constitution. In 2004, U.S. Sen. Robert C. Byrd included key provisions in the Consolidated Appropriations Act of Fiscal Year 2005 designating September 17 of each year as Constitution Day.

□ Several judicial officers and Supreme Court employees appeared in "A New Home for Liberty," presented October 18 at the Charleston Civic Center. Written by former Supreme Court Clerk Tom Rodd, the play tells the story of an elderly Granville Hall and an elderly J.R. Clifford meeting with their families in a railway station and exchanging stories about the history of West

Virginia. Hall was the recorder of Wheeling Convention debates that led to the formation of West Virginia. Clifford was West Virginia's first black attorney, a schoolteacher, a principal, and a newspaper owner. The play was written to commemorate West Virginia's sesquicentennial and was sponsored by the J.R. Clifford Project. The cast included Twenty-Eighth Judicial Circuit (Nicholas County) Judge Gary Johnson, Twenty-Fifth Judicial Circuit (Boone and Lincoln Counties) Judge Jay Hoke, and Thirteenth Judicial Circuit (Kanawha County) Judge Tod Kaufman; former Supreme Court Justice Larry Starcher; Kanawha County Magistrate Kim Aaron and her husband, Bob; Supreme Court Clerk Rory Perry II and former Supreme Court Clerk Ancil Ramey; Supreme Court Law Clerk Peter Chambers; and former Congressman Alan Mollohan. Kanawha County Commissioner Kent Carper and Kanawha County Delegate Meshea Poore were among the introductory speakers.

□ A group of middle school students were invited to Monongalia County Magistrate Sandy Holepit's courtroom on October 31 to hear her morning docket, which included a civil

case, an underage consumption ticket, a suspended license plea, and a bench trial for a traffic offense. Magistrate Holepit, a former substitute teacher, told *The [Morgantown] Dominion Post* she approached Monongalia County middle schools with the idea of a courtroom field trip because she wanted students to learn that being on the wrong side of the law is no place to be.

□ Judge Aloï read to first-grade students at White Hall Elementary School during Children's Book Week at the school. The students also asked Judge Aloï questions about his work. White Hall's media teacher, Monica Zanussi, said it's important for children to see professionals taking time away from their busy days to read to them.

□ Marion County Magistrate Melissa Linger visited first-grade students at Fairmont Catholic School on December 15 to read to students. "Teaching them at an early age to have respect for authoritative figures in their life like parents, grandparents, and teachers, will eventually lead them to have a respect for the law and keep them out of the court system as a criminal defendant," she said.



Circuit Judge Gary Johnson (second from right) and Circuit Judge Jay M. Hoke (right) participated in "A New Home for Liberty" on October 18 at the Charleston Civic Center. Photo by Jennifer Bundy

Supreme Court Outreach



Left: Chief Justice Margaret L. Workman talks to Girl Scouts at Dine-Around in Hedgesville in May. *Photo by Megan Fisher, The Martinsburg Journal*

Right: Justice Thomas E. McHugh delivered the oath of office on February 28, 2011, to Dr. Jorea Marple, the first woman to become state Superintendent of Schools. *Photo by Allison Barker*

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, Court Clerk, Administrative Director, and Administrative Office Division Directors also make numerous speeches throughout the year on topics concerning the court system.

In 2011 the Supreme Court held two Argument Dockets outside of Charleston. It heard oral arguments in three cases at West Virginia University's College of Law in Morgantown on March 8. Judge Thomas C. Evans, III, of the Fifth Judicial Circuit (Calhoun, Jackson, Mason, and Roane Counties) and Judge Ronald E. Wilson of the First Judicial Circuit (Brooke, Hancock, and Ohio Counties) sat in on the first case because Justice Menis E. Ketchum and Justice Thomas E. McHugh were disqualified. Later that day, the Court judged the law school's annual Baker Cup Moot Court appellate advocacy competition. On March 9 the Supreme Court held an argument docket at the Marshall County Courthouse in Moundsville in front of high school students as part of the LAWS (Legal Advancement for West Virginia Students) program. (See story page 34.)

Supreme Court Justices also participated in many other events in 2011.

□ Justice Brent D. Benjamin made numerous appearances on behalf of the entire Supreme Court at drug court opening ceremonies and graduations around West Virginia. (See story page 45.)

□ Chief Justice Margaret L. Workman presented the court system budget to the House Finance Committee on January 25 and the Senate Finance Committee on January 26 and answered questions from legislators.

□ Justice Thomas E. McHugh administered the Oath of Office to state Superintendent of Schools Dr. Jorea Marple on February 28 in Charleston. Dr. Marple is the first woman to hold the leadership position overseeing public schools.

□ Justice Robin Jean Davis presented a continuing legal education course to a meeting of Legal Aid of West Virginia on March 16 at the Charleston Marriott Town Center.

□ Chief Justice Workman, Justice Davis, and Justice McHugh spoke on April 4 with a group from the Republic of Georgia. The Georgians were visiting the United States to learn about the Freedom of Information Act. The group included representatives of government agencies and non-government organizations; one was a regional journalist. The discussion focused on Supreme Court cases dealing with FOIA, costs associated

with filing a FOIA, time limits for responding to FOIA requests, and repercussions if someone does not give out public documents.

□ Chief Justice Workman spoke at West Virginia University College of Law on April 8 as the school dedicated its Child and Family Law Clinic. Chief Justice Workman talked about how the clinic and a law school class supported by the Court Improvement Program address the legal needs of children and their families.

□ Supreme Court Family Court Services Director Lisa Tackett spoke May 12 at the NICS User Conference in Dallas, Texas, about West Virginia's Domestic Violence Registry, multi-disciplinary cross-training conferences, and the changes to West Virginia law and procedure regarding domestic violence.

□ Justice Davis spoke May 15 at the Oak Hill Holiday Lodge to graduates of Leadership Fayette County, a program for exceptional high school students modeled after Leadership West Virginia.

□ Chief Justice Workman was the luncheon speaker at the Mountain State Bar Association's 2011 Annual Continuing Legal Education Seminar at Fairmont State University on May 20.

□ Chief Justice Workman participated in a Girl Scout Dine-Around at a home in Hedgesville on May 20. Dine-Arounds are informal events for Senior and Ambassador Girl Scouts. They give girls who have demonstrated leadership potential the opportunity to meet professional women. The Dine-Around in Hedgesville was hosted by the Women's Advisory Board of the Girl Scout Council of the Nation's Capital, which serves girls in

Washington, D.C., and twenty-five counties in Maryland, Virginia, and West Virginia.

□ On May 21, Chief Justice Workman gave the commencement address at Blue Ridge Community and Technical College. The college has about 3,800 students, and 260 graduated that night.

□ On May 26, Chief Justice Workman talked about John Adams and his contribution to the rule of law at the McDowell County Law Day event in Welch.

□ Chief Justice Workman was the luncheon speaker at a spring meeting of the Woman's Club of Charleston.

□ In May, Administrative Office employees donated backpacks, toys, and personal care items to the Carry-On Campaign, which provides these items to children in foster care. Sponsors of the event include Mission West Virginia, Inc.; the state Department of Health and Human Resources; U.S. Attorney's Office, Northern and Southern Districts; the West Virginia Child Advocacy Network; the West Virginia Endangered Children Task Force; and the West Virginia Prosecuting Attorney's Institute.

□ Justice Davis was a speaker June 2 at the West Virginia Association for Justice Convention and Seminar in Charleston.

□ On June 6, Justice Menis E. Ketchum spoke at the naturalization ceremony at the Robert C. Byrd United States Courthouse in Charleston. About fifty people became naturalized citizens at the event.

□ Justice Davis and Justice Benjamin were guests on the West Virginia Media television *Decision Makers* shows that aired July 24 and July 31. The broadcasts covered a wide range of topics concerning the West Virginia court system. Bray Cary, president and CEO

of West Virginia Media, was the host.

□ Director Tackett spoke at the U.S. Attorney's Office and West Virginia Coalition Against Domestic Violence conference on July 18 about "Prosecuting Domestic Violence, Sexual Assault and Stalking Cases in Federal Court."

□ Chief Justice Workman welcomed circuit judges and family court judges to their fall conferences by thanking them for their work inside and outside their courtrooms. She spoke to circuit judges on October 11 in Wheeling and family court judges on October 24 in Charleston.

□ Justice Davis spoke at the Interfaith Domestic Violence Vigil on October 18 in the lower rotunda of the West Virginia Capitol. The vigil was in honor of Domestic Violence Awareness Month and was sponsored by the YWCA Resolve Family Abuse Program that serves Kanawha, Clay, and Boone counties.



Justice Robin Jean Davis spoke to Leadership Fayette County on May 15, 2011. Photo courtesy of *The Fayette Tribune*

□ Justice Benjamin gave the keynote address at a conference of treatment court professionals on November 14 at the Marriott Charleston Town Center Hotel. The speech, like the conference, concerned alternatives to incarceration for certain first-time, non-violent offenders.

□ Justice Davis delivered the oath of office for the Sixty-Second Class of State Police Cadets on November 14 at the West Virginia State Police Academy in Institute. The fifty-seven cadets reporting for duty that day were scheduled to graduate on May 4, 2012. They were to be the first to go through an updated, twenty-five week curriculum that included a minimum of 1,300 hours of instruction.

□ Chief Justice Workman delivered the oath of office for seven Sex Offender Intensive Supervision Officers

(SOISOs) on July 8 in the Supreme Court Chamber. Six of the officers were to work in Region IV, which covers Kanawha, Clay, Braxton, Gilmer, Webster, Nicholas, Calhoun, Jackson, and Roane Counties. Chief Justice Workman also swore in one officer who was filling a vacancy in Region III, which covers Brooke, Doddridge, Hancock, Marshall, Ohio, Pleasants, Ritchie, Tyler, Wetzel, Wirt, and Wood Counties.

□ Justice Davis and Nineteenth Judicial Circuit (Barbour and Taylor Counties) Judge Alan Moats gave a presentation about judicial programs on truancy (story on page 28) to the Joint Standing Committees on Education and the Judiciary on December 13 in the House of Delegates Chamber in the West Virginia Capitol. Justice Davis and

Judge Moats had appeared at fourteen regional meetings earlier in the fall to discuss ways the court system can work with educators, the Department of Health and Human Resources, and other community officials to keep children in school. The regional meetings were held in Charleston, Huntington, Wheeling, Morgantown, Parkersburg, Clarksburg, Elkins, Keyser, Martinsburg, Point Pleasant, Summersville, Lewisburg, Logan, and Beckley. Justice Davis in November also attended a community meeting in Princeton to sign an order allowing the Mercer County Board of Education to fund a probation officer to work solely on truancy cases.



Chief Justice Margaret L. Workman delivered the oath of office to a group of Sex Offender Intensive Supervision Officers on July 8, 2011. From left, Daniel Smith, Robin Solak, Trena Hopkins, Aura Brill, Keith Ackerman, Mike DeHaven, and Patricia Smith. Photo courtesy of Patricia Smith

■ Division of Probation Services

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 Department of Health and Human Resources, and other state agencies in order to link services for persons under probation officers' supervision.

At the end of 2011, the West Virginia court system had sixty-three adult, eighty-six adult-juvenile, and fifty-seven juvenile probation officers. Those officers together supervised more than 15,314 adult and juvenile offenders during the year, with an average caseload of eighty-three per officer and an annual cost of \$1,151 per offender.

The Division of Probation Services is responsible for the development and oversight of juvenile drug courts in West Virginia. The West Virginia Juvenile Drug Court Program is a cooperative effort of the juvenile justice, social service, law enforcement, and education systems in the state. This program seeks to divert non-violent juvenile offenders exhibiting alcohol or substance abuse behavior from the traditional juvenile court process to an intensive, individualized treatment process. The goal of the program is to reduce future court involvement for the teens. On any given day in West Virginia, approximately seven thousand youths are under

some form of court-ordered diversion program or supervision by a probation officer. Annual West Virginia juvenile probation reports demonstrate that controlled-substance violations are the third-largest category of offenses charged.

As of December 31, 2011, there were ten juvenile drug courts located in Cabell, Wayne, Logan, Mercer, Boone/Lincoln, Brooke/Hancock, Monongalia, Putnam, Randolph, and Wood Counties. These programs are overseen by Lora Maynard, the Deputy Director for Drug Courts for 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 Sex Offender Intensive Supervision (SOISO) regions. 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. The SOISO program was developed under the leadership of Chief Justice Robin Jean Davis when she was Chief Justice in 2006 and 2007.

In 2011 the sex offender intensive supervision program was fully implemented throughout the state, becoming the first statewide program of its kind in the history of West Virginia Probation. There are thirty-three specialized probation officers who supervise sex offenders in all fifty-five counties. There are six regional coordinators, one in each region, who assist in day-to-day operations and supervision of the officers, all of whom report directly to Deputy Director of Probation Services, Caren L. Bills.

In July 2011, Chief Justice Margaret Workman conducted a swearing-in ceremony for six SOISO officers to work in Region I (Berkeley, Jefferson, Morgan, Hampshire, Hardy, Pendleton, Mineral, Grant, and Tucker Counties).

In November, Justice Robin Jean Davis conducted a swearing-in ceremony for the final group of SOISO officers, who will work in Region IV (Braxton, Clay, Gilmer, Webster, Nicholas, Calhoun, Roane, Jackson, and Kanawha Counties).

West Virginia Problem-Solving Courts



Top Left: Justice Brent Benjamin and First Judicial Circuit Judge Martin Gaughan at an event on March 24 marking the 100th graduation from the First Judicial Circuit Northern Panhandle Treatment Courts. *Courtesy photo*

Bottom Left: Members of the Wood County Juvenile Drug Court team. *Courtesy photo*

Right: Twenty-Fifth Judicial Circuit Judge William Thompson (right) gives a certificate to a graduate of the Southwestern Drug Court in a ceremony on January 28. *Courtesy photo*

The goal of problem-solving courts is to help participants overcome addictions and mental illnesses that led them to commit crimes, thus improving the quality of life for them and their families. Turning people who might have become repeat offenders into productive citizens also improves public safety and is much more cost-effective and criminogenically sound than incarceration for those who have committed non-violent crimes and are a low to moderate risk to the community.

“We are very proud of the way probation officers, circuit court, and family court judges have worked with community partners to run the network of juvenile and adult drug courts throughout the state,” Chief Justice Margaret Workman said. One of her goals as Chief Justice in 2011 was to broaden the network of juvenile drug courts and to expand the state’s efforts to address the

mental health needs of juveniles.

“From a humanitarian approach, we must see to it that the system does all it can to put offenders on the right track. From a very pragmatic perspective, the effectiveness of the system in accomplishing this goal can make an immense difference in the ultimate financial and social costs to society,” Chief Justice Workman said.

There are several types of problem-solving courts in West Virginia. There are eleven adult drug courts, ten juvenile drug courts, one adult reentry court, and one adult mental health court.

On behalf of the entire Supreme Court, Justice Brent Benjamin attended more than a dozen drug court graduations and opening celebration events throughout the state in 2011. Justice Benjamin said drug courts are a way for government to help people and give individuals a second chance to become

productive members of society.

“The drug-related challenges facing our families and our communities are clear and compelling,” Justice Benjamin said. Unaddressed, drug-dependency inhibits opportunities and the chance for young people to reach their potential. Without treatment alternatives, children trapped by an addiction to drugs are virtually guaranteed a bleak future of poverty, broken families and jail or prison – representing an enormous cost to families and to society.”

Among the events Justice Benjamin attended in 2011 were the January 24 opening of the adult drug court to serve the Twenty-Second Judicial Circuit (Hampshire, Hardy, and Pendleton Counties) in Romney; the first drug court graduation in Lincoln County on January 28 at the Lincoln County Courthouse; the February 18 opening of the

juvenile drug court serving the Twenty-Fifth Judicial Circuit (Boone and Lincoln Counties) at the Boone County Courthouse in Madison; the March 1 opening of the Wood County Juvenile Drug Court in Parkersburg and the first graduation there on May 25; the first and second drug court graduations from the Logan County section of the Southwestern Regional Drug Court on March 11 and June 17; a March 24 ceremony marking the graduation of ten adults from the First Judicial Circuit (Brooke, Hancock, and Ohio Counties) Northern Panhandle Treatment Courts, bringing to over one hundred the number of people who successfully completed the drug court program there; a March 28 celebration of the opening of the Randolph County Juvenile

Drug Court; the June 2 opening of the Monongalia County Juvenile Drug Court; a juvenile drug court graduation in Weirton on August 1; a juvenile drug court graduation in Boone County on August 9; a September 15 Kanawha County Adult Drug Court graduation; an October 12 graduation ceremony of the Northern Panhandle Second Circuit (Marshall, Tyler, and Wetzel Counties) Adult Treatment Court in Moundsville; an October 27 graduation ceremony of the Southern Regional Adult Drug Court in Princeton, a November 10 Northern Panhandle First Circuit Adult Treatment Court graduation in Wellsburg; and a November 8 Cabell County Drug Court graduation.

Prosecutors and judges choose which offenders may participate in treatment court

programs. People who are registered as sex offenders or who have prior convictions for felony crimes of violence are not eligible.

During 2011, Linda Richmond Artimez, Director of Mental Hygiene and Treatment Court Services, oversaw adult drug courts and the mental health court. Division of Probation Services Director Mike Lacy and Deputy Director Lora Maynard oversaw Juvenile Drug Courts. Special Projects Director Jennifer Singletary worked with West Virginia's reentry court.

Adult Drug Courts

Adult drug courts serve eligible substance-abusing or drug-addicted offenders who receive treatment and other rehabilitative services in lieu of going through traditional justice system



Justice Brent D. Benjamin holds five-month-old Matthew Haynes while his mother, Rachel Haynes, looks on. She graduated from the Kanawha County Adult Drug Court program September 16. *Photo courtesy of the Charleston Daily Mail*



Justice Brent D. Benjamin speaks at the opening of the Eastern Panhandle Adult Drug Court in January. Twentieth Judicial Circuit (Randolph County) Judge Jayme Godwin Wilfong is seated to his right. *Photo by Carra Higgins, The [Elkins] Inter-Mountain*

case processing. West Virginia adult drug courts keep individuals in treatment for at least a year. Participants are closely supervised in the community. Offenders undergo intensive treatment and receive other services, and they are regularly and randomly tested for drug use. Participants appear frequently before a drug court judge or magistrate where they are held accountable for meeting program requirements; they are rewarded for doing well and sanctioned when they fail to live up to their obligations.

In 2011 improvements to the support systems for both the mental health court and drug courts continued. The adult treatment court database was further implemented and

improved. A case management system also was in development and partially implemented, which when completed will provide current reporting capability to every adult treatment court in West Virginia and up-to-the-moment case management access to all members of adult treatment court teams. The first statewide Adult Treatment Court Conference was held in November 2011 with national-level speakers providing relevant and evidence-based training for every adult drug and mental health court team in West Virginia. An adult treatment court coordinator conference was held in January 2011.

Juvenile Drug Courts

Juvenile drug courts are

a cooperative effort of the juvenile justice, social service, law enforcement, and education systems. They divert non-violent juvenile offenders exhibiting alcohol or substance abuse behavior from the traditional juvenile court process to an intensive, individualized treatment process. The goal is to reduce future court involvement.

Juvenile drug courts are established on the principle of early intervention and are designed to meet the developmental and rehabilitative needs of juveniles. The process includes intensive out-patient drug and alcohol treatment, intensive probation case management, random drug testing, compliance monitoring, and required family

involvement. The objectives of juvenile drug courts are to improve each individual's general functioning by reducing internal and external problems and to increase each family's self-sufficiency and ability to cope with life's difficulties.

Entry levels into a juvenile drug court program include pre-petition diversion; signed, but non-filed petition diversion; filed petition pre-adjudication diversion or post-adjudication diversion; and post-disposition intervention.

The minimum program length is six months but varies according to an individual juvenile's treatment needs. The average length is about eight months.

Adult Mental Health Court

The adult mental health court was established to divert criminal offenders diagnosed with a mental illness from the traditional criminal justice system into treatment. Before being accepted into the program, offenders undergo a professional mental health evaluation. They also must score moderate to low on a personal risk assessment before being accepted.

West Virginia's only adult mental health court was established in the Northern Panhandle in 2003. It serves the First and Second Judicial Circuits (Brooke, Hancock, Marshall, and Ohio Counties).

To be accepted in an adult mental health court, offenders must, at a minimum, be charged with a misdemeanor, felony, or violation of probation;

have a diagnosed 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 the community; be amenable to treatment; and have appropriate care available. Offenders with a current sex offense charge against them or who are registered as sex offenders are not eligible.

Successful completion of a treatment plan and program requirements results in dismissal or reduction of charges or reduced or deferred sentencing, as is agreed upon at the time a participant enters the program. 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.

Reentry Courts

Reentry courts serve people who have already spent time in prison and are rejoining society. The goal is to reduce West Virginia's prison population by providing an intensive supervision, treatment, and rehabilitation program for eligible candidates. The program addresses participants' drug and mental health issues in the hope of breaking the cycle of recidivism.

The only operating reentry program in West Virginia is in the First Judicial Circuit (Brooke, Hancock, and Ohio Counties). Prisoners 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.



First Judicial Circuit Judge Martin Gaughan speaks at a ceremony March 24 marking the 100th graduation from the First Judicial Circuit Northern Panhandle Treatment Courts. *Courtesy photo*

West Virginia Problem-Solving Courts in 2011

Programs for Adults

Cabell County Adult Drug Court

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

Eastern Panhandle Adult Drug Court

- Established in 2011
- Twenty-Second Judicial Circuit Judge Donald H. Cookman, presiding
- Serves Hampshire, Hardy, and Pendleton Counties
- A hybrid DUI/drug court taking pre-plea, post-plea, probation violation, and DUI cases

Kanawha County Adult Drug Court

- Established in 2009
- Thirteenth Judicial Circuit Judge Jennifer Bailey, presiding
- Hybrid DUI/drug court taking pre-adjudication, post-conviction, probation violation, and DUI 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 Circuit Judge Martin J. Gaughan, Brooke County Magistrate Robin Snyder, Hancock County Magistrate William S. Hicks, and Ohio County Magistrate Patricia Murphy, presiding

- A hybrid DUI/drug court taking pre-plea, post-plea, probation violation, and DUI cases

Northern Panhandle First Circuit Reentry Court

- Established in 2009
- First Circuit Judge Martin J. Gaughan, presiding
- Serves Brooke, Hancock, and Ohio Counties
- Prisoners with addiction or mental health issues are monitored and enrolled in out-patient treatment, overseen by parole officers.
- Only reentry program in West Virginia

Northern Panhandle Mental Health Court

- Established in 2003
- Serves Brooke, Hancock, Marshall, and Ohio Counties
- First Judicial Circuit Judge Martin J. Gaughan; Second Judicial Circuit 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, presiding
- Diverts non-violent criminal offenders who have been diagnosed with a mental illness away from the criminal justice system and into treatment
- Only Mental Health Court in West Virginia

Northern Panhandle Second Circuit Adult Drug Court

- Established in 2005, split from First Judicial Circuit on September 1, 2009
- Second Circuit Judge David W. Hummel, Jr., and Marshall County Magistrate David Buzzard, presiding
- Serves Marshall, Tyler, and Wetzel Counties

- 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 Lawrance S. Miller, Jr., presiding
- Handles post-plea and probation violation cases

Southeastern Regional Adult Drug Court

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

Southern Regional Adult Drug Court

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

Southwestern Adult Drug Court

- Established in 2008
- Twenty-Fifth Judicial Circuit Judge William S. Thompson and Seventh Judicial Circuit Judges Eric H. O'Brian and Roger L. Perry, presiding
- Serving Boone, Lincoln, and Logan Counties
- Hybrid DUI/drug court taking post-plea, probation violation, and DUI cases

West Central Regional Adult Drug Court

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

Programs for Juveniles

Boone/Lincoln 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; post-adjudication diversion; post-disposition intervention

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; post-adjudication diversion; post-disposition intervention

Cabell County Juvenile Drug Court

- Established in 1999, operated for four years, re-established in 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
- Family Court Judge David Greenberg, presiding

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

Mercer County Juvenile Drug Court

- Established in 2009
- Twelfth Family Court Circuit Judge Mary Ellen 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; 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; post-adjudication diversion; post-disposition diversion

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 are lawyers who are appointed by chief circuit judges to preside over hearings on involuntary hospitalization, guardianship, and conservatorship. The number of mental hygiene commissioners varies per county depending upon need. Circuit judges have jurisdiction over all matters over which mental hygiene commissioners preside 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.

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.

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 is no commissioner appointed by the chief judge, a designated magistrate can do only probable cause cases, and final commitments and guardianship cases are handled by the circuit judge.

In 2011, 8,278 mental hygiene petitions were filed in West Virginia's circuit courts and magistrate courts. That compares to 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; 7,950 in 2003; 7,026 in 2002; and 6,141 in 2001.

All mental hygiene commissioners meet annually at an education conference sponsored by the Supreme Court. There 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.

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 Computer. 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 adjudications of not guilty or inability to stand trial by reason of mental illness or insanity.

The West Virginia Supreme Court Administrative Office began developing a computerized system to automate reporting of individuals prohibited by state and federal laws from purchasing or possessing firearms shortly after the federal law was passed in 2007. The federal law and West Virginia's Central Mental Health Registry law went into effect in 2008.

The Supreme Court's Division of Technology Services, with the help of a multi-disciplinary team led by Linda Richmond Artimez, Director of the Court's Division of Mental Hygiene and Treatment Court Services, created an automated electronic reporting system. Mental hygiene commissioners fill out registry forms as they adjudicate those who come before them in hearings. 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, and height to assist in FBI identification. Such information is to be uploaded within seventy-two business hours by the mental hygiene commissioner.

Mental hygiene commissioners began reporting appropriate involuntary commitment cases in June 2009 and began reporting adult guardian and conservator cases in 2010. Designated magistrates and circuit judges who do this work were trained and began reporting in 2011.

West Virginia's Mental Health Registry was showcased during the FBI's Mid-Eastern Regional NIAA meeting on April 6, 2011, in Charleston. The FBI asked West Virginia to host this regional meeting because of the state's significant accomplishment in developing and deploying the nation's most advanced electronic reporting system for people who have been committed for treatment of a mental illness or who have been determined to be unable to handle their own affairs due to mental illness. The meeting at the Charleston Marriott Town Center was a training seminar for the FBI and selected law enforcement, legal, and mental health administrators from West Virginia, Kentucky, Ohio, Pennsylvania, Maryland, and Virginia.

The West Virginia mental health registry reporting system is still under development. The West Virginia court system's work on the project was funded by two grants from the National Criminal History Improvement Program.

Special Judicial Programs

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 Court and its Administrative Director on task forces, boards, and commissions examining justice issues in West Virginia; administers the Court's Language Assistance Plan covering provision of foreign language interpreters to all state courts; administers two community corrections programs; prepares policy studies and reports on comparative judicial administrative procedures; and drafts court forms, policy guidance, and other materials for statewide use.

Language Access in the Courts

The Special Projects Division administers a program that ensures language access to the courts for speakers of languages other than English. The U.S. Department of Justice has issued mandates related to Title VI of the Civil Rights Act of 1964, ultimately applicable to state courts systems that benefit from federal revenue.

The language access mission statement in West Virginia calls for the court system to provide foreign language interpretation/translation services to all persons of Limited or No English Proficiency (LEP), including parents of non-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 case preparation in some cases.

West Virginia's percentage of citizens who self-report speaking a language other than English at home, at approximately 2.3

percent, is dramatically lower than that of most other states. State data collected on foreign language interpreter services provided in FY2010 demonstrates that West Virginia courts requested, on average, fewer than five instances of foreign language interpretation per month. The most frequently used language other than English in West Virginia state courts is Spanish, with an individual interpreter from Jefferson County providing nearly one-third of all the state's in-person Spanish interpretation needs.

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

Pretrial Pilots

In 2009, the West Virginia Legislature authorized the Supreme Court of Appeals of West Virginia to establish and develop up to five pretrial release programs. The programs seek to minimize unnecessary jail time and its attendant expenses for nonviolent misdemeanants while maintaining public safety. Pilot programs were established in the following counties: Brooke County, which developed the model for other jurisdictions to follow; Cabell County, the successful program of which resulted in the Cabell County Commission awarding raises to the county's civil employees; and Greenbrier, Mercer, and Wood counties. The Special Projects Division serves as administrative contact for and counsel to the programs, which operate with varying degrees of autonomy.

In 2011, the five jurisdictions were awarded one-year grant funding under the West Virginia Community Corrections Act to enhance their programs.

Reentry Program

The Special Projects Division serves as administrative contact for and counsel to the state's only reentry program which is 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. Candidate prisoners are screened. 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

The Special Projects Division is involved with Elder Law issues. Director Jennifer Singletary serves on an ad hoc Financial Exploitation Task Force and a special committee dedicated to raising awareness of Elder Abuse. Ms. Singletary is federally certified by the U.S. Department of Homeland Security to train law enforcement officers, court officials and staff, and the public on the topic of elder abuse. Elder abuse is a problem in West Virginia because of the state's aging population, coupled in part with recovery efforts from the economic recession. Abuse in the form of financial exploitation of West Virginia's seniors is a current focus of both federal and state legislation.

Unified Judicial Application

In 2011 the Division of Technology continued to work on the Unified Judicial Application information system, improving system accountability. When implemented, the UJA will provide more accurate statistics to the public, Legislature, and other government agencies, which they can use to make public policy decisions. The UJA also will provide privacy-secured electronic information to public agencies, including the Division of Motor Vehicles, the West Virginia State Police, the Regional Jail and Correctional Facility Authority, the Department of Health and Human Services, and the Division of Corrections.

Greenbrier County Magistrate Court was the primary beta test site for the UJA. In 2011, Monongalia County Magistrate Court became the second test site. In those two counties' magistrate courts, the UJA is in full use as the active case management system, with the previous (legacy) system being used as a checks and balance system. Both Greenbrier and Monongalia Counties have terminals connected to the UJA that the public can use to search public records.

In 2011, the Law Enforcement Officer, or LEO system, was developed so law enforcement officials could access the UJA. Currently, more than two thousand officers are able to access records in Greenbrier and Monongalia Counties.

Under the UJA, all counties will have a similar computer system that will be linked, allowing an individual's activity with the court

system to be quickly and easily available at each court location. 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. Court funding is an important budget backbone for regional jails, community corrections, the state Crime Victims Compensation Fund, and Law Enforcement Training, among others.

The UJA also will reduce redundant data entry and improve efficiency by streamlining processing and eliminating many manual tasks. 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.

Network Infrastructure

By the end of 2011, all courthouses in the state had wireless access. The access points allow Court-provided and approved wireless-ready devices to have network access from most areas served by the Division of Technology, including routing services to all county courthouses and other court locations.

Technology Division Director Scott Harvey said 80 percent of the networking equipment in the field also was upgraded because it had reached its end of life.

In 2011 the division also purchased two new storage area networks to replace two storage networks that were outdated.

Intranet and Microsoft Office 2010

In the fall of 2010, the Division of Technology created an Intranet site to replace an outdated site used by court employees. The Intranet pulls all tools for court employees into one area, including forms, directories, schedules, and conference planning materials.

In 2011, employees were trained on using the Intranet.

By the end of 2011, all court employees statewide also were using the same Microsoft toolset, Microsoft Office 2010.

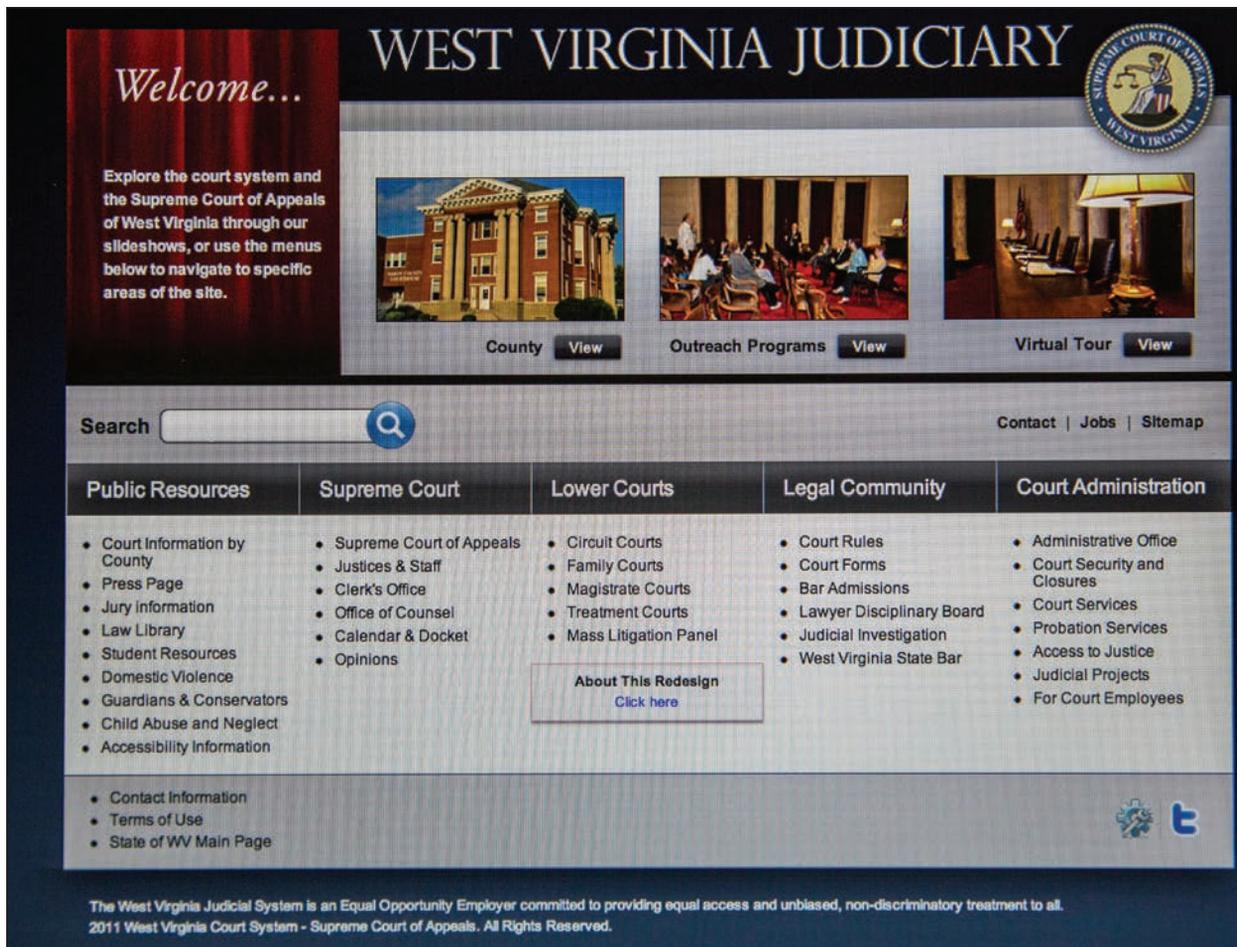
Mental Health Registry

The Division of Technology also helped develop the Mental Health Registry, a computerized system to automate reporting of individuals prohibited by state and federal laws from purchasing or possessing firearms. (See page 50.)

Jury Management System

Negotiations began in 2011 to create a jury management system, due for release in late 2012. The management system will be a centralized database maintained by the Administrative Office that will track how juries are selected and paid throughout the state.

Supreme Court Launches a New Website for Entire Court System



West Virginia Judiciary website homepage. *Photo by Michael Switzer*

In September 2011, the Supreme Court started the Fall Term of court by launching a new website with a new domain name, www.courtsww.gov.

The website contains all the information on the previous site but is updated and reorganized for clarity. It also has new features containing details about the judicial system to make West Virginia courts more accessible to the public.

Since the creation of a court system website in the late 1990s, the amount of information on the site has grown at least tenfold. The public and court employees expect that the Court will maintain a modern and useful website.

The new website has a unified look on all pages, which improves

the user experience and makes the website much easier to maintain and update. The new site also is easier to read on mobile devices, including iPads and iPhones.

One of the new features on the website that is heavily used is the county-by-county list of judicial officials and offices. The list contains addresses, phone numbers, fax numbers, and maps of each county's judicial and family court circuits.

The new website design and contents are the result of a multi-year effort of the Supreme Court's Internet Committee, which is led by Clerk Rory Perry and Public Information Officer Jennifer Bundy. The committee is made up of representatives from all divisions in the Court's Administrative Office.

To demonstrate a commitment to the importance of keeping the website modern, useful, and up-to-date, the Clerk's Office hired Isaac Counts in a new position as Lead Web Designer in July. He has a bachelor's degree in graphic design and demonstrated excellence in creating useable and standards-compliant websites.

Counts joined a dedicated team of people who work on the website. He initially focused on implementing the re-design and launching the website. Over the long term, Counts will help expand online services, will improve case management operations within the Clerk's Office through developing internal web designs, and will help create a more paperless court environment.

Court Security Board

Every time a defendant pays court costs on criminal violations in West Virginia, a portion goes to a Court Security Fund, managed by the Supreme Court of Appeals of West Virginia and the West Virginia Division of Justice and Community 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 2011, a total of \$933,499 was given in two rounds of grants to thirty-two 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 2011:

Administrative Agency	Amount Approved
Barbour County Commission	\$ 33,715
Berkeley County Commission	33,717
Boone County Commission	9,650
Braxton County Commission.....	10,000
Brooke County Commission	5,850
Clay County Commission	7,182
Fayette County Commission	19,710
Gilmer County Commission.....	3,300
Greenbrier County Commission	20,808
Hampshire County Commission.....	3,410
Hardy County Commission.....	58,997
Harrison County Commission	36,977
Jackson County Commission	28,922
Jefferson County Commission	13,000
Kanawha County Commission	26,602
Lewis County Commission	25,000
Logan County Commission	33,900
Marion County Commission	9,429
Mercer County Commission	79,897
Mineral County Commission	8,794
Monongalia County Commission	24,810
Monroe County Commission	12,556
Morgan County Commission	32,919
Preston County Commission	6,757
Putnam County Commission.....	11,623
Randolph County Commission.....	24,092
Ritchie County Commission	63,102
Roane County Commission.....	74,899
Taylor County Commission	46,230
Webster County Commission.....	30,535
Wirt County Commission.....	20,500
W.Va. Supreme Court.....	116,616
Total	\$ 933,499

West Virginia Holds Court Security Conference



Pennsylvania Supreme Court Administrator Zygmunt Pines addresses a court security conference in Charleston in February 2011. Photo by April Harless

Representatives of forty counties attended a conference in Charleston in February to discuss how to improve security in courthouses.

"When a disaster is occurring, that is no time to figure out who is in charge. You have to have a protocol, a continuity-of-operations plan. There has to be a chain of command to prevent a bad situation from getting worse," said Supreme Court Administrative Director Steve Canterbury.

The purpose of the conference was to provide training to counties on emergency preparedness and court security, to provide technical assistance, and to work out ways counties can communicate better with each other and the Administrative Office, said Angela Saunders, Director of Court Services.

The Supreme Court asked each county to designate two people to be in charge of security planning at court facilities in case of disaster. Those who attended the conference were able to discuss how to make detailed plans about what to do if there is a natural disaster or security

breach, continuity of operations, and recovery.

"It's not a matter of *if* something will happen in one of our counties, it's a matter of when, and if we are prepared to assist one another," said former Jefferson County Sheriff Ed Boober, director of his county's homeland security team.

"It's about protecting the public and ensuring the courts continue to function under what might be trying circumstances," said Seventh Judicial Circuit (Logan County) Judge Roger L. Perry.

Several national experts in the field of court security spoke at the conference, including Pennsylvania Court Administrator Zygmunt Pines, Co-Chairman of

the Joint Committee on Security and Emergency Preparedness for the Conference of Chief Justices and the Conference of State Court Administrators; Timm Fautsko, Principal Court Management Consultant for the National Center for State Courts; and Jessica Pitts, Director of Emergency Preparedness and Court Security for the Maryland Judiciary. Representatives of the five pilot counties who have been working on court security emergency preparedness for several years also talked about their work. Those counties are Greenbrier, Harrison, Jefferson, Logan, and Mercer.

The conference at the Charleston Marriott Town Center was paid for by a grant from the West Virginia Court Security Fund.



Director of Court Security Arthur Angus speaks at a court security conference in Charleston. Photo by April Harless

In Memoriam

Former Circuit Judge George Hill Dies

Retired Fourth Judicial Circuit (Wirt and Wood Counties) Judge George "Skip" Hill died December 9, 2011, in Charleston's Hubbard Hospice House after battling several health issues. He was 81.



Judge Hill was born July 11, 1930, in Fairmont. He graduated from Yale University in 1952, where he lettered in both track and football. He was a halfback on the Yale football team; and on the track team, he set a Connecticut record in high hurdles. During the Korean Conflict he was a lieutenant commander on the destroyer USS Sigourney.

After his military service he attended West Virginia University College of Law, where he was editor of the *West Virginia Law Review*. He practiced law for thirty years before being elected to the bench in 1988. He retired in 2006.

Judge Hill is survived by two daughters, one son, and two grandchildren.

Former Circuit Judge Charles Lobban Dies

Retired Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties) Judge Charles M. Lobban died May 23, 2011, at his home in Alderson after a long illness. He was 80.



Judge Lobban was born July 9, 1930, in Hinton. He earned a degree in commerce from the Greenbrier Military School in Lewisburg and a law degree from the University of Virginia in Charlottesville, Va.

He was an Army veteran, having served in Korea during the Korean Conflict.

Judge Lobban practiced law for one year in Charlottesville, then moved to Alderson to run his family's furniture store and practice law.

He was elected circuit judge in 1976 and took office January 1, 1977. He served until his retirement on September 30, 1996, when he became a senior status judge.

Judge Lobban was an elder of the Alderson Presbyterian Church, a member of Tri-County Memorial Veterans of Foreign Wars, a member of the Alderson Masonic Lodge, and a sixty-five-year member of the Alderson Volunteer Fire Department.

He is survived by his wife of fifty-eight years, Marjorie McVey Lobban; two daughters; two sons; twelve grandchildren; and one great-grandson.

Former Circuit Judge John Madden Dies

Retired Second Judicial Circuit (Marshall, Tyler, and Wetzel) Judge John Thomas Madden of Moundsville died March 20, 2011, at home. He was 78.



Judge Madden was born July 13, 1932, in Glen Dale. He was a 1950 graduate of Moundsville High School, a 1954 graduate of Lafayette College, and a 1958 graduate of West Virginia University College of Law.

He practiced law in Marshall County from 1958 to 1991 and served as a circuit judge from 1991 to 2008. He was appointed several times to sit as a special justice on the Supreme Court of Appeals of West Virginia when a justice was recused from a case.

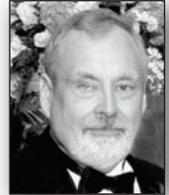
Judge Madden was a member of the West Virginia House of Delegates from 1963 to 1967. He was a former city attorney for Moundsville, McMechen, and Benwood, and he was named a Fellow of the West Virginia Bar Foundation in 2006.

Judge Madden was a member of Trinity Episcopal Church in Moundsville, where he served as a lay reader and as a member of the church vestry.

He is survived by four children, seven grandchildren, a step-granddaughter, a step-great-granddaughter, and a brother.

Mental Hygiene Commissioner Lloyd Spring Dies

Mental Hygiene Commissioner Lloyd W. Spring, III, died February 13, 2011, of a heart attack at Grafton City Hospital. He was 57.



Mr. Spring, who had served as a mental hygiene commissioner in the Nineteenth Judicial Circuit (Barbour and Taylor Counties) since 1993, volunteered his time on several Supreme Court Administrative Office committees. He taught each year at the annual mental hygiene conference and served as a mentor for other commissioners.

Mr. Spring was born in Keyser on October 8, 1953. He was a 1971 graduate of Grafton High School and of West Virginia University, where he earned bachelor's degrees in political science/history and in accounting, a master's of public administration, and a law degree. He practiced law in Grafton from September 1989 until his death.

He formerly was a Grafton municipal judge; prosecuting attorney, magistrate, and justice of the peace in Taylor County; assistant prosecutor in Monongalia County; field auditor and employer relations representative for the West Virginia Department of Employment Security; and an eligibility specialist for the tri-county area.

At the time of his death, he was president of the Taylor County Library Board and was an instructor at Fairmont State University and at Alderson-Broaddus College.

He is survived by his wife, Pamela (Sapp) Spring, of Grafton; a son; four nephews; and one niece.



*Michael John
Aloï*

Fairmont Attorney Named Circuit Judge

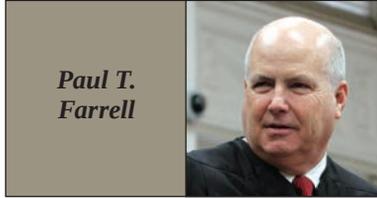
Marion County native Michael John Aloï was sworn in as a circuit judge in the Sixteenth Judicial Circuit (Marion County) on August 4, 2011, to fill the vacancy created by the retirement of Judge Fred L. Fox II. He was appointed by Governor Earl Ray Tomblin on July 8.

Although Judge Aloï's robing ceremony was delayed, his first day on the bench was August 1.

Judge Aloï has practiced law for 28 years. He is a founding partner of the Fairmont-based injury law firm of Manchin & Aloï. He graduated from West Virginia Wesleyan College, where he served as Student Body President, and West Virginia University College of Law, where he was the only member of his class to receive both Order of the Coif and Order of the Barristers.

He is a past president of the West Virginia State Bar (2002-2003) and Marion County Bar Association (1996-1997). In April 2006, he was named a Foundation Fellow of the West Virginia State Bar Foundation. He received a Certificate of Merit from the West Virginia State Bar in 2008 for outstanding service.

A Farmington resident, he is married to Dr. Susan Aloï and they have four children: Joey, Alexander, Hannah, and Iris.



*Paul T.
Farrell*

New Cabell County Circuit Judge Sworn In

Huntington attorney Paul T. Farrell was sworn in on February 14, 2011, to fill the vacancy created by the retirement of Judge Dan O'Hanlon. He is one of four judges in the Sixth Judicial Circuit (Cabell County).

Senior Status Judge L. D. Egnor delivered the oath of office during the ceremony in the Cabell County Courthouse in Huntington. Supreme Court Justice Menis Ketchum, Justice Brent Benjamin, and Governor Earl Ray Tomblin attended. Chief Circuit Judge David M. Pancake presided.

Judge Farrell has practiced law since 1977. He has served as a private attorney, assistant attorney general, counsel for the West Virginia State Senate, counsel for the Senate President, administrative law judge for the state Unemployment Compensation Division, and assistant prosecutor in both state and federal courts. He also was a member of Huntington's city council.

At the time of Judge Farrell's appointment to the bench on January 21, he was practicing law at the Huntington law firm Farrell, Farrell, and Farrell, PLLC. His practice focused on defense of healthcare providers, public and private employers, and criminal defendants.

Judge Farrell is a graduate of Xavier University and West Virginia University College of Law.



*Matthew Dean
England*

New Family Court Judge Named for Fayette County

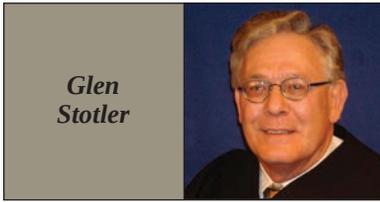
Beckley native and Fayette County Assistant Prosecutor Matthew Dean England took office as a Family Court Judge for the Fourteenth Family Court Circuit (Fayette County) on November 4.

Governor Earl Ray Tomblin announced his appointment on October 13 to fill the judicial vacancy created by the retirement of Janet Steele.

Judge England is a Fayetteville resident. As an assistant prosecutor, he focused on juvenile and criminal cases. He previously worked as a law enforcement officer in Raleigh County and the City of Beckley. Judge England has also held leadership positions in both the law enforcement and legal communities. At the time of his appointment to the bench he was president of the Fayette County Bar Association and a member of the Lion's Club in Fayetteville.

Judge England is a graduate of Mountain State University in Beckley and Appalachian School of Law in Grundy, Virginia. He is a decorated U.S. Air Force veteran, having served in Operation Desert Storm and Operation Uphold Democracy in Haiti.

Judge England is married to Lisa England. Together they have four children: Jacob Riley, Andrea, Rachel, and London.



*Glen
Stotler*

Berkeley Springs Attorney Named Family Court Judge

Berkeley Springs attorney Glen Stotler took office April 1, 2011, in the Twenty-Third Family Court Circuit (Hampshire, Mineral, and Morgan Counties). He was appointed to the bench on March 17 by Governor Earl Ray Tomblin to replace Family Court Judge Charles Parsons, who was elected to the Circuit Court bench in the Twenty-Second Judicial Circuit (Hampshire, Hardy, and Pendleton Counties) in November 2010. Other family court judges filled in during the interim.

Judge Stotler had been a family law and real estate attorney since graduating from West Virginia University College of Law in 1989.

He was a Morgan County Commissioner from 1985 to 2008 and is a past member of the Morgan County Board of Education, the Town of Bath Council, and the West Virginia Regional Jail and Correctional Facility Authority Board. He served on the United States Architectural and Barriers Compliance Board. He is a former Chairman and member of the Region 9 Planning and Development Council.

He was the West Virginia Bankers Title Attorney of the Year in 2010. Judge Stotler was a member of the Eastern Panhandle Community Foundation and the Physically Challenged Advisory Board to the West Virginia Department of Natural Resources.

Judge Stotler is a Berkeley Springs resident and lives with his wife Kate.



*Pete J.
Beavers*

Magistrates Retire, New Magistrates Appointed

Three magistrates retired and were replaced in 2011.

In Mercer County, longtime Magistrate Roy Compton retired on January 31, 2011. In his four decades of public service, Magistrate Compton was a constable, justice of the peace, deputy sheriff, and magistrate.

“Roy Compton was one of the most compassionate human beings that I ever have seen,” Ninth Judicial Circuit (Mercer County) Judge Derek Swope said during a retirement ceremony for Magistrate Compton on February 3. Supreme Court Justice Brent Benjamin and Magistrate Court Services Director Janie Moore also attended the ceremony.

Magistrate Mike Flanigan said, “Roy Compton is one of those people who absolutely made it his goal to make Mercer County a better place to live.”

Susan Honaker was appointed to replace Magistrate Compton and began work on February 1.

In McDowell County, Magistrate Pete J. Beavers, Jr., retired on February 28. Former police officer James Richard VanDyke was appointed to replace him and started work on March 1.

Hardy County Magistrate Daniel M. Poling retired March 31. Magistrate Assistant Shawna M. Crites was appointed to replace him on April 1.



*Sara
Thompson*

New Director of Judicial Education Appointed

Sara Thompson took over as the Director of Judicial Education in the Supreme Court Administrative Office in July 2011. Alison Chambers, the former director, accepted a position in the Supreme Court’s Office of Counsel.

Ms. Thompson had worked for the Court for five years as the Education and Outreach Services Librarian. She received her undergraduate degrees in History and Criminal Justice from Marshall University, a law degree from Capital University Law School, and a master’s degree in Library and Information Services from Kent State University.

Counsel for Judicial Investigation Commission Retires

Skip Garten, Counsel for the West Virginia Judicial Investigation Commission for twenty-nine years, retired December 31. As Counsel, Mr. Garten reviewed complaints and either referred matters to an examiner for investigation, asked respondent judges for responses, or sent matters directly to the members of the Commission for study prior to consideration at the next meeting. He also handled advisory opinions for judicial officers.

Teresa Tarr was hired November 16 to replace Mr. Garten. Ms. Tarr had been a lawyer for about twenty-one years and spent the most recent two and a half years as the Violence Against Women Resource Prosecutor at the West Virginia Prosecuting Attorneys Institute. Ms. Tarr received her law degree from Ohio Northern University.

Kanawha County Assistant Administrator Retires

Kanawha County Court administrators have changed several times during the past twenty years, while Judy Blaker remained. But on June 30, she retired after twenty-two years as assistant court administrator.

Ms. Blaker told the *Charleston Daily Mail* that handling requests from criminals, attorneys, judges, magistrates, and a myriad of others on a daily basis kept the job challenging and interesting.

"I deal with the public all the time," she said. "There's not anyone who comes through this building who is happy, unless it's a wedding or an adoption. They have problems, whether it's criminal, divorce, or domestic violence."

Ms. Blaker, along with other assistant administrators, assigns attorneys to those who can't afford them and assists with the financial forms required.

"This job is about multi-tasking," Ms. Blaker told the newspaper. "I'm always doing seven or eight things at once."



New State Treatment Court Coordinator

Jeff Ellis was hired in October 2011 with grant funds to work in the Division of Mental Hygiene and Treatment Court Services to support the growing number of treatment courts in West Virginia. He is responsible for supporting the continued planning, implementation, and oversight of the adult treatment courts and continued development of the adult treatment court case management system. He is an Army veteran who had three tours of duty (Iraq 2009-2010, Kuwait 2005-2006, and Fort Bragg, N.C., MOTSU N.C. 2002-2004), and currently is in the Army Reserves. He also has a degree in psychology from Marshall University.



New Webmaster Hired for Judicial System

On July 18, the Supreme Court Clerk's Office hired Isaac Counts to fill the new position of Lead Web Designer. In the short term, he focused on implementing the re-design of the Judicial System website, which was launched in the fall of 2011. Over the long term, Isaac will help to expand online services, improve case management operations within the Clerk's Office through developing internal web designs, and help the Clerk's Office move toward a more paperless environment. He also will be involved in upcoming historical research projects.

"My goal is to create an environment that is conducive to sharing information between all types of people across all current platforms of information consumption," Isaac said. "The website is a major part in reaching that goal."

Isaac is a native of Charleston. He has a bachelor's degree in graphic design from California University of Pennsylvania. He previously worked at Dream Catcher Creative. He has experience in graphic design and in creating useable and standards-compliant websites. He lives in Teays Valley with his wife Josie and beagle Goliath.

"We are delighted to have Isaac as part of our team here in the Clerk's Office," said Supreme Court Clerk Rory Perry. "He is an important component of our continued plans to provide great service to the public and court staff."



Chief Justice Margaret L. Workman, along with Justices Menis Ketchum, Thomas McHugh, Robin Jean Davis and Brent Benjamin, present former Supreme Court Justice Franklin D. Cleckley with the Liberty Bell Award in March. *Photo by April Harless*

Franklin Cleckley Receives 2011 Liberty Bell Award

Former Supreme Court Justice Franklin D. Cleckley received the 2011 Liberty Bell Award during a ceremony March 8 at West Virginia University College of Law, where the former Justice is the Arthur B. Hodges Professor of Law. Chief Justice Margaret Workman presented the award on behalf of the Supreme Court after the Court heard an argument docket at the school, as it does once every spring.

The Liberty Bell Award is presented each year to a person who has “promoted a better understanding of the rule of law, encouraged greater respect for the law and the courts, stimulated a sense of civic responsibility, or contributed to good government in the community,” according to criteria set by the American Bar Association.

“Frank Cleckley has demonstrated an extraordinary lifelong commitment to the legal profession. He has made significant contributions to the rights of all West Virginians and to the development of our jurisprudence,” Chief Justice Workman said.

“His firm belief in the basic principle that justice is a fundamental right for all people has made our state a better place to live. He has been an incredible and dynamic teacher of the law, and he has been relentless in his pursuit of a better understanding of the rule of law and the courts throughout our state,” she said.

In 1994, then-Governor Gaston Caperton appointed Justice Cleckley to the Supreme Court, making him the first African-American Justice in West Virginia. During his time as a Justice, he authored more than one hundred majority opinions in addition to concurring and dissenting opinions.

Justice Cleckley had tears in his eyes as he received the award and said simply, “I’m very, very, very happy that I received this award. The Court has really honored me with this award.”

Four Judges Among the 2011 Bar Foundation Fellows

Four judges were among the seventeen individuals honored as Bar Foundation Fellows during the Thirteenth Annual Bar Foundation Fellows Dinner on April 28 in Charleston.

Circuit Judge John W. Hatcher, Jr., of the Twelfth Judicial Circuit (Fayette County); Senior Status Judge John R. Frazier of the Ninth Judicial Circuit (Mercer County); Senior Status Judge Robert B. Stone of the Seventeenth Judicial Circuit (Monongalia County); and Family Court Judge Sally G. Jackson of the Twenty-Fourth Family Court Circuit (Berkeley and Jefferson Counties) were among the list of honorees.

They are among less than three hundred other Fellows who have been previously selected from the more than five thousand lawyers and judges in the state.

*James
Mazzone*



Judge James Mazzone Named Jurist of the Year

The West Virginia Association of Justice named First Judicial Circuit (Brooke, Hancock, Ohio Counties) Judge James Mazzone as Outstanding Jurist of the Year.

The decision was unanimous during a May 2011 association meeting. Judge Mazzone, who has been a judge for eleven years, told *The State Journal* that he was shocked when he heard the news.

"I was in the middle of a trial in Hancock County, and I received a message from my office. So I called them, and that's when I heard about it," he told the newspaper. "I was very surprised and flattered at the same time."

Judge Mazzone told the newspaper he believes the award signifies a jurist who approaches issues without any agenda or personal or political philosophies.

"I think it's important that judges treat parties and litigants in a civil and respectful manner and fairly and impartially decide their cases," he said.

*Jennifer D.
Singletary*



Supreme Court Division Director is Young Lawyer of Year

Supreme Court Special Projects Counsel Jennifer D. Singletary was named the 2011 West Virginia Young Lawyer of the Year, an award given by the Young Lawyers Section of the West Virginia State Bar.

The award is given annually 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. Ms. Singletary was recognized at a Bar reception in Charleston on April 15.

"I was very surprised by the phone call, and, of course, honored in that moment and at the banquet. It's been the most significant recognition in my adult life so far," she said.

Ms. Singletary oversees several Supreme Court projects, including community corrections initiatives, elder law issues, and language access in the courts.

Ms. Singletary has an undergraduate degree from West Virginia State College. She has a master's degree in humanities from Marshall University Graduate College and a law degree from Cincinnati College of Law. She began her career as an attorney at the Kanawha County Public Defender's Office.

*Greg
Arnold*



Probation Officer Recognized for Heroic Efforts

Mercer County Probation Officer Greg Arnold was leaving work on a September afternoon when he noticed a female correctional officer from the Southern Regional Jail being attacked by an inmate who was trying to get her gun.

Mr. Arnold ran across the street, subdued the inmate, and put handcuffs on him before deputies from the Mercer County Sheriff's Office arrived. The female correctional officer told other officers at the Southern Regional Jail that she doesn't think she would be alive today without Mr. Arnold coming to her rescue.

For Mr. Arnold's heroic efforts, he was presented a certificate of recognition in October by Supreme Court Administrative Director Steve Canterbury and Probation Services Director Mike Lacy. In December, Mr. Arnold was presented a distinguished service medal by Southern Regional Jail Administrator Vickie Greene in a short ceremony in Ninth Judicial Circuit (Mercer County) Judge Omar Aboulhosn's courtroom.



Senior Status Judge Frank Jolliffe speaks at a ceremony for the unveiling of his portrait in the Greenbrier County Courthouse.
Photo by Michael Switzer

Portrait of Senior Status Judge Jolliffe Unveiled

A portrait of Senior Status Judge Frank Jolliffe was unveiled September 23 at the Greenbrier County Courthouse in Lewisburg during a ceremony attended by Supreme Court Justice Robin Jean Davis, six circuit judges, two state senators, and about one hundred members of the public.

The portrait hangs in the main courtroom in which Judge Jolliffe presided for twenty-seven years before his retirement on August 31, 2006. The painting by artist Michael Christie shows the judge looking to the side with a large

American flag in the background. Judge Jolliffe joked that when it is hung behind the bench, "I'll be looking right at the door for the lawyer who's late."

"We in this valley and this county are justly proud of our rich history. And we are justly proud of the rich history of our judiciary," said Eleventh Judicial Circuit (Greenbrier and Pocahontas Counties) Judge James Rowe, who served as master of ceremonies. "Portraits are symbolic and they communicate. . . . It is fitting we have portraits of jurists who have served ably and well in this county as a reminder of what their service has been and continues to be."

Judge Jolliffe's portrait hangs between those of the late Judges Charles M. Lobban and Nickell Kramer. Judge Lobban was an active judge for twenty years and a senior status judge for fifteen years. Judge Kramer was an active judge for twenty-seven years.

Judge Jolliffe grew up in Morgantown and graduated from Morgantown High School, West Virginia University, and West Virginia University College of Law. He is one of five children. He is a former member of the House of Delegates and a former Assistant U.S. Attorney for the Fourth Circuit.

He became a judge in the Eleventh Judicial Circuit on July 1, 1979, when he was appointed by then-Governor Jay Rockefeller. He served as president of the West Virginia Judicial Association and was on the Education Committee.

He and his wife, Marlene Pierson-Jolliffe, are the parents of eleven-year-old Jacob and twelve-year-old Danielle, both students at Eastern Greenbrier Middle School. Judge Jolliffe also has two adult children. Christopher Jolliffe works at Greenbrier Technologies and Amy Jolliffe Gray teaches at Ronceverte Elementary School.

The ceremony also was attended by Eleventh Judicial Circuit Chief Judge Joseph C. Pomponio, Jr.; Thirty-First Judicial Circuit (Monroe and Summers Counties) Judge Robert Irons; Tenth Judicial Circuit (Raleigh County) Judge H.L. Kirkpatrick; Nineteenth Judicial Circuit (Barbour and Taylor Counties) Judge Alan Moats; and Senior Status Circuit Judge Charles M. Vickers.



U.S. Supreme Court Clerk William K. Suter (left) and Circuit Judge John Hatcher in Washington, D.C. *Courtesy photo*

Judge Hatcher Goes to Washington

While in the Washington, D.C., area to attend an Army Judge Advocate General Corps Vietnam Reunion, Twelfth Judicial Circuit (Fayette County) Judge John W. Hatcher, Jr., visited a friend, William K. Suter, Clerk of the U.S. Supreme Court.

Judge Hatcher served four years as a Captain in the Army Judge Advocate General's Corps. Of that service, one year was in the First Cavalry Division (AirMobile). Supreme Court Clerk Suter, also a Vietnam Veteran, retired from the Army Judge Advocate

General's Corps as a Major General. The next day he was sworn in as Clerk of the U.S. Supreme Court. He has served as Clerk, with great distinction, for more than twenty years.

General Suter, as he is referred to at the Court, invited Judge Hatcher to the Court for a private tour, which Judge Hatcher said he and his wife, Alice, enjoyed immensely. The Court's Library is a magnificent place, and the Justices' private dining room is elegant, Judge Hatcher said.

Senior Status Judge Vickers Featured in Hunting Magazine

Senior Status Judge Charles Vickers was featured in a story in the September/October 2011 *Turkey Country Magazine* by Managing Editor Gregg Powers. Here are excerpts of the story:

Our hunting group consisted of retired judge and longtime National Wild Turkey Federation member Charles Vickers, as well as West Virginia Department of Natural Resources Conservation Officers Larry Case and Woody Brogan. Judge Vickers, well into his 70s, is the elder statesman of the fall turkey woods in this part of Virginia.

"I grew up hunting turkeys with dogs. My dad did it," Judge Vickers said. "I got a dog after I got out of the Navy, and I've had one ever since."

Judge Vickers trains his turkey dogs just like his daddy did.

"Dog people are real clannish. They won't tell you much, and I understand that," Judge Vickers smiled. "You have to observe and learn it on your own. Most of the knowledge I got was from my dad and some of the people here in Virginia."

The area has always been big on turkey dogs, but it's different in these mountains, according to Judge Vickers.

"You have a hard time hearing the dog," he said. "You have a hard time trying to figure out where they flushed the birds." . . .

Judge Vickers said hunting with a dog takes constant training, beginning when the dog is six or seven months old. You have to spend a lot of time in the woods with each dog, training him to sit in the blind, under your feet, as the turkey approaches.

"You have to get the dog used to sitting with you," Judge Vickers said. "If you let him run a while, he'll be tired and want to get in his bag in the blind. These dogs love to run." Judge Vickers said hunting with dogs isn't for everybody, but it keeps him young. "I don't hunt turkeys in spring. It's all about the fall hunt and the dogs for me."



Senior Status Judge Charles Vickers and his hunting dogs. *Photo by Michael Switzer*

Judge O. C. "Hobby" Spaulding and Judge Jane Husted show off their wedding rings.
Courtesy photo



Two Circuit Judges Wed

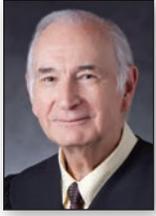
After dating more than thirty-five years, Twenty-Sixth Judicial Circuit (Putnam County) Judge O.C. "Hobby" Spaulding and Sixth Judicial Circuit (Cabell County) Judge Jane Husted finally married. They were united in matrimony on Thanksgiving Day 2011 at the home of long-time friends, former state Senator Oshel Craigo's oldest daughter, Sabrina, in Boston, Massachusetts, with the Craigo extended family in attendance.

The bride wore jeans, the groom Dockers. The rest of the wedding party dressed more festively.

Senator Craigo gave the bride away, and his wife, Joanna, was the matron of honor. Sabrina's mother-in-law, Olga, was the best "man." Other members of the Craigo family performed the ceremony, played music, took photos, arranged flowers, and provided the requisite "something borrowed, something blue." The senator's grandchildren enjoyed dancing after the wedding, the throwing of the bouquet, and the throwing of the garter, which became a much fought-over headpiece by the little girls.

After learning of the plans, Supreme Court Administrative Director Steve Canterbury joked, "I talked to them. I begged them not to rush into anything. They ran off out of state and hitched up. It's always a little troubling if people don't get to know each other before they get married. We hope it works out." On a more serious note, he said. "Naturally, we wish them both the very best."

Court Association Officers



2011 Judicial Association Officers

President: Ronald E. Wilson,
First Judicial Circuit (Brooke,
Hancock, and Ohio Counties)

Vice-President: Darrell Pratt,
Twenty-Fourth Judicial Circuit
(Wayne County)

Secretary: Derek Swope,
Ninth Judicial Circuit
(Mercer County)

Treasurer: Russell M. Clawges, Jr.,
Seventeenth Judicial Circuit
(Monongalia County)



2011 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 H. Allman (Brooke County)
Michael K. Griffin (Tyler County)
Hank E. Middlemas (Marion County)

Second District:
Jason D. Bennett (Roane County)
Richard G. Postalwait
(Calhoun County)
Joseph L. Shelton (Kanawha County)

Third District:
Teddy E. Mays (Wayne County)
Kevin L. Miller (Monroe County)
Mike J. Woelfel (Cabell County)



2011 Association of Probation Officers

President: Jennifer Wells-Browning
(Cabell County)

Vice-President: Jerry Swanson
(Lincoln County)

Secretary: Juanita Robertson
(Greenbrier County)

Treasurer: Kay Browning
(Logan County)



2011 Family Court Association Officers

President: Mary Ellen Griffith,
Twelfth Family Court Circuit
(McDowell and Mercer Counties)

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

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

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

Also on the Executive Committee:

Ronald E. Anderson,
Sixth Family Court Circuit
(Cabell County)

Rebecca L. Cornett,
Fifth Family Court Circuit
(Jackson, Mason, and
Wirt Counties)

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



2011 Court Reporters Association Officers

President: Jo Ann Betler
(Cabell County)

Vice-President: Terri R. Cheslock
(Marion County)

President-Elect: Rebecca R. Harris
(Preston County)

Secretary: Sharon L. Vincent
(Monongalia County)

Treasurer: Dwayne Price
(Kanawha County)

2011 Court Conferences

January 7

Administrative Office Conference Staff Training Session, Charleston

January 10-11

Adult Drug Court Coordinators' Training, Charleston

January 17

Advanced Child Abuse and Neglect Training for the Twenty-Second Judicial Circuit, Moorefield¹

February 4

New Leave Record Keepers Teleconference

February 11

Experienced Leave Record Keepers Teleconference

February 18

Microsoft SharePoint Training for Administrative Office Conference Staff – Training I, Charleston

February 18

Microsoft SharePoint Training for Administrative Office Conference Staff – Training II, Charleston

February 22-24

Court Security Conference, Charleston²

February 25

Microsoft SharePoint Training for Administrative Office Conference Staff – Training III, Charleston

March 3

Magistrates' Mental Hygiene Registry Training: Train-the-Trainer Session, Charleston

March 9

Magistrates' Computer-Based Mental Hygiene Registry Training Session I, Charleston³

March 9

Magistrates' Computer-Based Mental Hygiene Registry Training Session II, Charleston³

March 10

Magistrates' Computer-Based Mental Hygiene Registry Training Session III, Charleston³

March 10

Magistrates' Computer-Based Mental Hygiene Registry Training Session IV, Charleston³

March 11

Magistrates' Computer-Based Mental Hygiene Registry Training Session V, Charleston³

March 11

Magistrates' Computer-Based Mental Hygiene Registry Training Session VI, Charleston³

March 11

Juvenile Drug Court Coordinators: Juvenile Evaluation Database Revisions Training, Session I, Teleconference

March 15

Magistrates' Computer-Based Mental Hygiene Registry Training Session VII, Morgantown³

March 16

Magistrates' Computer-Based Mental Hygiene Registry Training Session VIII, Morgantown³

March 16

Magistrates' Computer-Based Mental Hygiene Registry Training Session IX, Morgantown³

March 17

Magistrates' Computer-Based Mental Hygiene Registry Training Session X, Morgantown³

March 17

Magistrates' Computer-Based Mental Hygiene Registry Training Session XI, Morgantown³

March 21-25

Uniform Judicial Application Training for Monongalia County Magistrate Court Part I, Session I, Morgantown

March 25-April 1

Uniform Judicial Application Training for Monongalia County Magistrate Court Part I, Session II, Morgantown

March 30-31

Pre-Trial Team Training, Charleston

April 5-7

Spring Sex Offender Intensive Supervision Officer (SOISO) Summit, Morgantown

April 6

Mid-Eastern Regional NIAA (NICS Improvement Amendment Act) Conference, Charleston

April 7

Westlaw KM Training for Supreme Court Law Clerks, Counsel's Office, and Clerk's Office, Session I, Charleston

April 7

Westlaw KM Training for Supreme Court Law Clerks, Counsel's Office, and Clerk's Office, Session II, Charleston

April 8

Westlaw KM Training for Supreme Court Law Clerks, Counsel's Office, and Clerk's Office, Session III, Charleston

April 8

Westlaw KM Training for Supreme Court Law Clerks, Counsel's Office, and Clerk's Office, Session IV, Charleston

April 11-15

Uniform Judicial Application Training for Monongalia County Magistrate Court Part II, Session III, Morgantown

April 12

Juvenile Drug Court Coordinators: Juvenile Evaluation Database Revisions Training, Session I, Teleconference

April 18-22

Uniform Judicial Application Training for Monongalia County Magistrate Court Part II, Session IV, Morgantown

¹Funded 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 1101WVSCID

²Funded by the West Virginia Division of Justice and Community Services, Court Security Grant Program 10-CS-26

³Funded in part by the West Virginia Division of Justice and Community Services, Records Improvement Grant Program 10-RI-01

- April 28-30**
New Circuit Judges Education Conference, Charleston
- April 29**
Magistrates Computer-Based Mental Hygiene Registry Training (Make-Up Session I), Charleston³
- April 29**
Magistrates Computer-Based Mental Hygiene Registry Training (Make-Up Session II), Charleston³
- May 11-13**
Mental Hygiene Commissioners Conference, Morgantown
- May 23-24**
Spring Family Court Judges Education Conference, Charleston
- May 31-June 2**
Magistrates Education Conference I, Charleston
- June 7-9**
Magistrates Education Conference II, Charleston
- June 14-17**
Spring Circuit Court Judges Education Conference, Charleston
- June 16-17**
Circuit Court Judges' Secretaries Conference, Charleston
- June 17**
Circuit Court Judges and Circuit Court Judges' Secretaries Mental Hygiene Registry Training, Charleston
- June 24**
Emeritus Attorney Training: Phase II: Indigent Guardianship Training, Charleston
- June 28-July 1**
New Sex Offender Intensive Supervision Officer Training: Region One, Davis
- June 28**
Child Abuse and Neglect Casebook Project: Pilot Training, Moorefield
- July 14-15**
Court Improvement Board Cross-Training I, Snowshoe⁴
- July 18-19**
Court Improvement Board Cross-Training II, Bridgeport⁴
- July 21-22**
Court Improvement Board Cross-Training III, Logan⁴
- August 8-10**
Circuit Clerks Education Conference, Daniels
- September 7**
Tactical Medicine Training for Probation Officers I, Morgantown²
- September 8**
Tactical Medicine Training for Probation Officers II, Morgantown²
- September 13-15**
Magistrate Staff Conference I, Charleston
- September 20-22**
Magistrate Staff Conference II, Charleston
- September 26-28**
New Circuit Court Law Clerks Training, Charleston
- September 27-28**
All Circuit Court Law Clerks Training, Charleston
- October 3-4**
New Probation Officers Conference, Morgantown
- October 4-7**
All Probation Officers Conference, Morgantown
- October 11-13**
Bailiffs Conference, Wheeling⁵
- October 11-13**
Circuit Court Reporters Conference, Wheeling
- October 11-14**
Fall Circuit Court Judges Education Conference, Wheeling
- October 17-21**
New Sex Offender Intensive Supervision Officer (SOISO) Training, Charleston
- October 24-26**
Fall Family Court Judges Education Conference, Charleston
- November 1**
In-House Court Security and Emergency Response Training, Group I, Charleston
- November 2**
Abuse and Neglect Database Training for Circuit Judges' Secretaries, Session One, Charleston¹
- November 3**
Abuse and Neglect Database Training for Circuit Judges' Secretaries, Session II, Morgantown¹
- November 3**
Juvenile Drug Court Training: Juvenile Drug Court Judges, Huntington⁶
- November 3**
Juvenile Drug Court Training: Motivational Interviewing for Juvenile Drug Court Probation Officers and Sex Offender Intensive Supervision Officers, Huntington⁶
- November 10**
In-House Court Security and Emergency Response Training, Group II, Charleston
- November 14-15**
Adult Treatment Court Conference, Charleston
- December 1**
Abuse and Neglect Database Training for Circuit Judges' Secretaries, Make-Up Session, Charleston¹

⁴Funded by Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families; State Court Improvement Basic Program Grant 1001WVSCIP

⁵Funded by the West Virginia Division of Justice and Community Services, Court Security Grant Program 11-CS-27

⁶Funded all or in part by the West Virginia Division of Justice and Community Services, Perdue-Pharma Asset Forfeiture Funds 10P-JDC-01

Supreme Court Money Man an Oxymoron



Mike Proops in his office in the Capitol, with a computer screensaver of a rainbow trout caught and released near White Sulphur Springs. Photo by April Harless.

Mike Proops is the Supreme Court's money man, and a walking oxymoron: He's a fun accountant.

The Financial Director in the Supreme Court Administrative Office got his first job in the eighth grade, began investing his own money shortly thereafter, and has done such a good job saving and investing he plans to retire in July 2012 at age 57, even though his only child is in medical school.

"There is nothing interesting about me. I am the failure of the family," he said, with a taste of the dry humor for which he is known among coworkers. He has a brother and a sister who are physicians and another brother who is director of consumer insight at Novartis Healthcare.

Although he swears he is not a risk-taker – what smart accountant is? – he is far from boring. His favorite vacations are hiking in Glacier National Park in Montana and walking on the beach in the Outer Banks. He has

visited all but six states and never had a vacation longer than a week because, he said, "there are just too many daily things that pile up. When people don't get paid, they don't like it."

To relax, he enjoys reading *The Wall Street Journal* in the evenings with a glass of wine (preferably Zinfandel) and watching Stephen Colbert and John Stewart. He also collects antique ceramic jars. About forty are "scattered around my house and are unobtrusive."

Wit apparently runs in the family. He has a cousin who is a professional comedian. Greg Proops has appeared on the London version of "Whose Line Is It Anyway?" and "The Drew Carey Show." He is voice of "Bob the Builder" and Tal Merrick on "Star Wars: The Clone Wars" TV series.

At the Supreme Court, Mike supervises six employees and together they process two thousand invoices a month. "It's

like working in an emergency room at a hospital; you just never know what is going to walk in," he said.

He began working for the Supreme Court in 2001, when he was one of five people to move from the Attorney General's Office to the Court. At the time, Darrell McGraw was the attorney general and his brother, Warren McGraw, was a Supreme Court Justice.

"About a month after I started working for the Court, Warren and I were walking

back from a Senate Finance Committee hearing when we ran into an acquaintance of both Darrell and Warren who knew I had worked at the Attorney General's Office and left to work for the Court. He said to Warren, 'I can't believe you stole an employee from your brother,' and Warren said, 'Well, we do it, but we hold our noses when we do it.'"

Over the years, Mike's job has changed, but the most important part has remained the same: "Getting transactions in the form they need to be in order for them to be paid without embarrassment to the court."

"Mike Proops is an extraordinary talent, a truly brilliant man who can make music with a spreadsheet," said Supreme Court Administrative Director Steve Canterbury. "He's a natural teacher who can make the most complex accounting conundrum clear, even to less mathematically inclined people such as I. The entire judiciary will miss him for myriad reasons."

Mike went to work for state government in 1988, when he took a job as a controller in the Attorney General's Office. During that time, he got his master's degree in business administration at the University of Charleston.

Born and raised in Charleston, the only time period Mike didn't live in Charleston was when he attended West Virginia University in Morgantown. He received a bachelor's degree in sociology and anthropology from WVU.

"While pursuing this degree, I discovered I could do accounting and make a living at it. Sociology and anthropology were food for thought; accounting was food for stomach," Mike said.

So he became an accountant, which he probably was destined to do. After all, he got his first job in eighth grade (delivering papers) and kept it until he left for college because it paid so well. "I had a party van in high school and delivered the papers, and I was making a lot of money. From the age of sixteen, I didn't take an allowance from my parents," he said.

Spending five years as a paperboy started his interest in business; he even figured out a way to "build his reserves."

"I knew I did work that wasn't productive: It was called collecting. I didn't make any money collecting, so I only collected one-third of my route every three months instead of collecting the whole route every month," Mike said.

At the age of fourteen, he made his first investment. He bought three shares of American Photo Copy

Equipment and later sold it at a loss. When he went to college, he made another investment. He bought twenty shares of Union Carbide stock for \$35 each and a year and a half later sold them at \$75 a share. He used the money to buy a "killer stereo."

While at WVU, he worked in food service at dorms and sorority houses and met his future wife, Jo. They graduated in 1977 and married a year later "for money, because neither of us had any," Mike said.

Mike's first job out of college was preparing accounting exhibits for a water utility company's rate change petitions. After that, he started working in public accounting, initially for a large international firm, then for a firm specializing in providing financial and tax planning services to investors in the oil-and-gas industry, skills he used in his personal financial planning and carried with him into public service, where he soon moved.

"I did not find it personally rewarding helping people far wealthier than I keep their taxes low," he said.

Now, thirty-five years after he left the private sector to work for the attorney general, he says he might get a little teary-eyed when he retires. He will miss the people with whom he works the most. "You have contact with really smart, talented people, generally speaking, who aren't motivated by money," he said.

Jo, who has worked thirty-two years at the U.S. Bankruptcy Court and is currently the Court's Clerk, also will retire in 2012. They plan to travel and hope to have grandchildren to take care of. Their son, Kenny, attends the Osteopathic School of Medicine in Lewisburg and married in 2011.

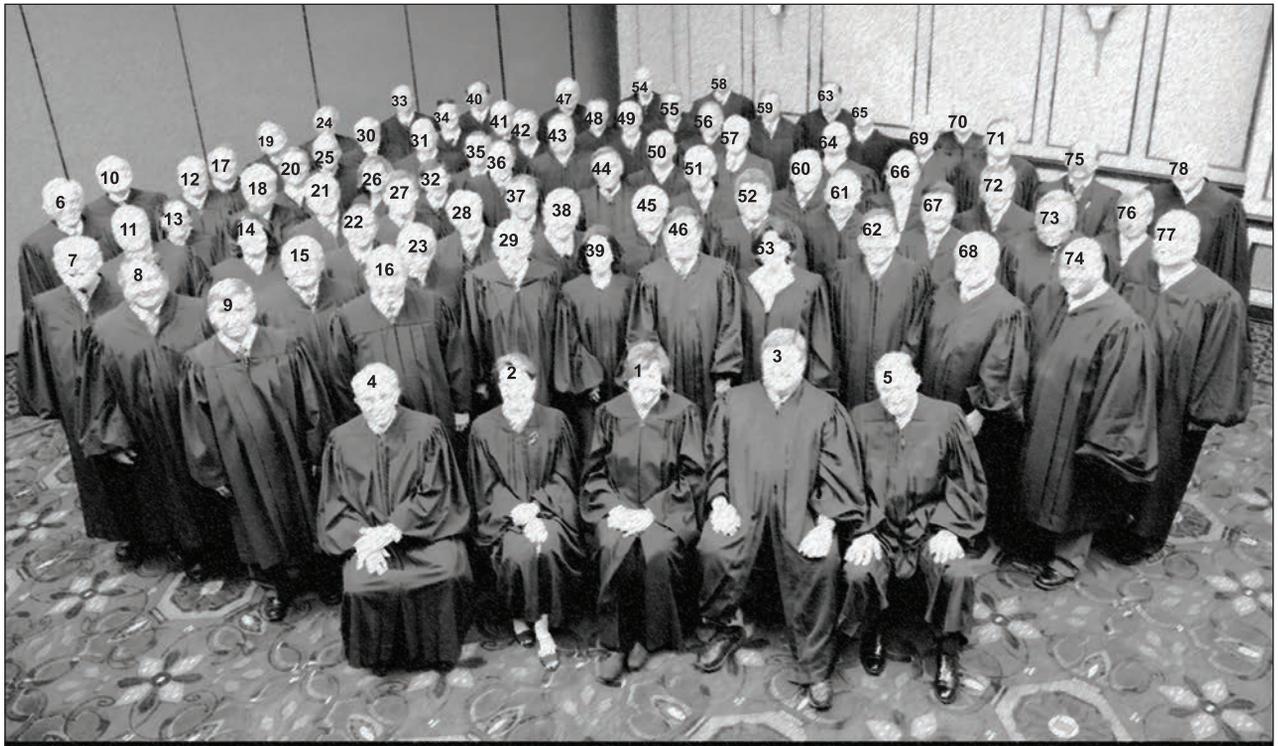
One thing Mike doesn't plan to change in retirement is his lunch routine. Every day and on some Saturdays for the past ten years, he has eaten lunch with Supreme Court Director of Administrative Services Fletch Adkins, Law Clerk Tom McQuain, and retired Law Clerk Steve Taylor.

"If I am not traveling somewhere, we will get together," he said. "I don't see any reason to change. It structures your day and is the social thing to do."



Mike Proops hiking in Glacier National Park in Montana during a vacation with his wife, Jo. *Courtesy photo*

Circuit Court Judges



- | | | | |
|--|--|---|--|
| 1. Chief Justice Margaret L. Workman
Kanawha County | 21. Senior Status Judge Robert B. Stone
Monongalia County | 41. Judge Philip B. Jordan, Jr.
Mineral County | 61. Judge James J. Rowe
Greenbrier County |
| 2. Justice Robin Jean Davis
Kanawha County | 22. Judge J. Lewis Marks, Jr.
Harrison County | 42. Judge Russell M. Clawges, Jr.
Monongalia County | 62. Judge Lawrance S. Miller, Jr.
Preston County |
| 3. Justice Brent D. Benjamin
Kanawha County | 23. Judge Paul Zakaib Jr.
Kanawha County | 43. Judge Christopher C. Wilkes
Berkeley County | 63. Judge William S. Thompson
Boone County |
| 4. Justice Menis E. Ketchum
Wayne County | 24. Senior Status Judge Charles M. Vickers
Raleigh County | 44. Judge Alfred E. Ferguson
Cabell County | 64. Judge William J. Sadler
Mercer County |
| 5. Justice Thomas E. McHugh
Kanawha County | 25. Judge Robert A. Irons
Monroe County | 45. Judge Arthur M. Recht
Ohio County | 65. Judge Roger L. Perry
Logan County |
| 6. Judge Donald H. Cookman
Hampshire County | 26. Judge Carrie L. Webster
Kanawha County | 46. Judge Jack Alsop
Webster County | 66. Senior Status Judge John S. Hrko
Wyoming County |
| 7. Senior Status Judge C. Reeves Taylor
Mineral County | 27. Judge Thomas C. Evans, III
Jackson County | 47. Senior Status Judge John L. Cummings
Cabell County | 67. Judge J. D. Beane
Wood County |
| 8. Judge John C. Yoder
Jefferson County | 28. Senior Status Judge James O. Holliday
Putnam County | 48. Judge James A. Matish
Harrison County | 68. Judge Robert A. Waters
Wood County |
| 9. Judge Charles E. Parsons
Hampshire County | 29. Senior Status Judge Robert C. Halbritter
Preston County | 49. Judge Alan D. Moats
Taylor County | 69. Judge Robert A. Burnside, Jr.
Raleigh County |
| 10. Judge John W. Hatcher, Jr.
Fayette County | 30. Senior Status Judge Daniel B. Douglass
Wood County | 50. Judge Michael Thornsby
Mingo County | 70. Judge O.C. Spaulding
Putnam County |
| 11. Senior Status Judge Fred L. Fox, II
Marion County | 31. Judge Paul T. Farrell
Cabell County | 51. Judge Phillip D. Gaujot
Monongalia County | 71. Judge Derek C. Swope
Mercer County |
| 12. Judge Thomas H. Keadle
Upshur County | 32. Judge Gray Silver, III
Berkeley County | 52. Judge Tod J. Kaufman
Kanawha County | 72. Judge Timothy Sweeney
Pleasants County |
| 13. Judge F. Jane Husted
Cabell County | 33. Judge Jeffrey B. Reed
Wood County | 53. Judge Susan B. Tucker
Monongalia County | 73. Senior Status Judge Herman Canady, Jr.
Kanawha County |
| 14. Judge Jaymie Godwin Wilfong
Randolph County | 34. Judge David W. Hummel, Jr.
Marshall County | 54. Judge Ronald E. Wilson
Hancock County | 74. Judge Omar J. Aboulhosn
Mercer County |
| 15. Senior Status Judge Andrew Frye, Jr.,
Grant County | 35. Senior Status Judge Frank E. Jolliffe
Greenbrier County | 55. Judge James H. Young, Jr.
Wayne County | 75. Judge Jay M. Hoke
Lincoln County |
| 16. Senior Status Judge John L. Henning
Randolph County | 36. Judge James C. Stucky
Kanawha County | 56. Judge Darrell Pratt
Wayne County | 76. Judge Joseph C. Pomponio, Jr.
Greenbrier County |
| 17. Judge Phillip M. Stowers
Putnam County | 37. Judge Thomas A. Bedell
Harrison County | 57. Senior Status Judge E. Lee Schlaegel
Boone County | 77. Judge Rudolph J. Murensky, II
McDowell County |
| 18. Judge Gary L. Johnson
Nicholas County | 38. Judge Warren R. McGraw
Wyoming County | 58. Judge John A. Hutchison
Raleigh County | 78. Judge David M. Pancake
Cabell County |
| 19. Judge H.L. Kirkpatrick III
Raleigh County | 39. Judge Jennifer F. Bailey
Kanawha County | 59. Judge Paul M. Blake, Jr.
Fayette County | |
| 20. Judge James P. Mazzone
Hancock County | 40. Judge David H. Sanders
Jefferson County | 60. Senior Status Judge Robert G. Chafin
Wayne County | |

2011 Supreme Court Justices and Circuit Court Judges

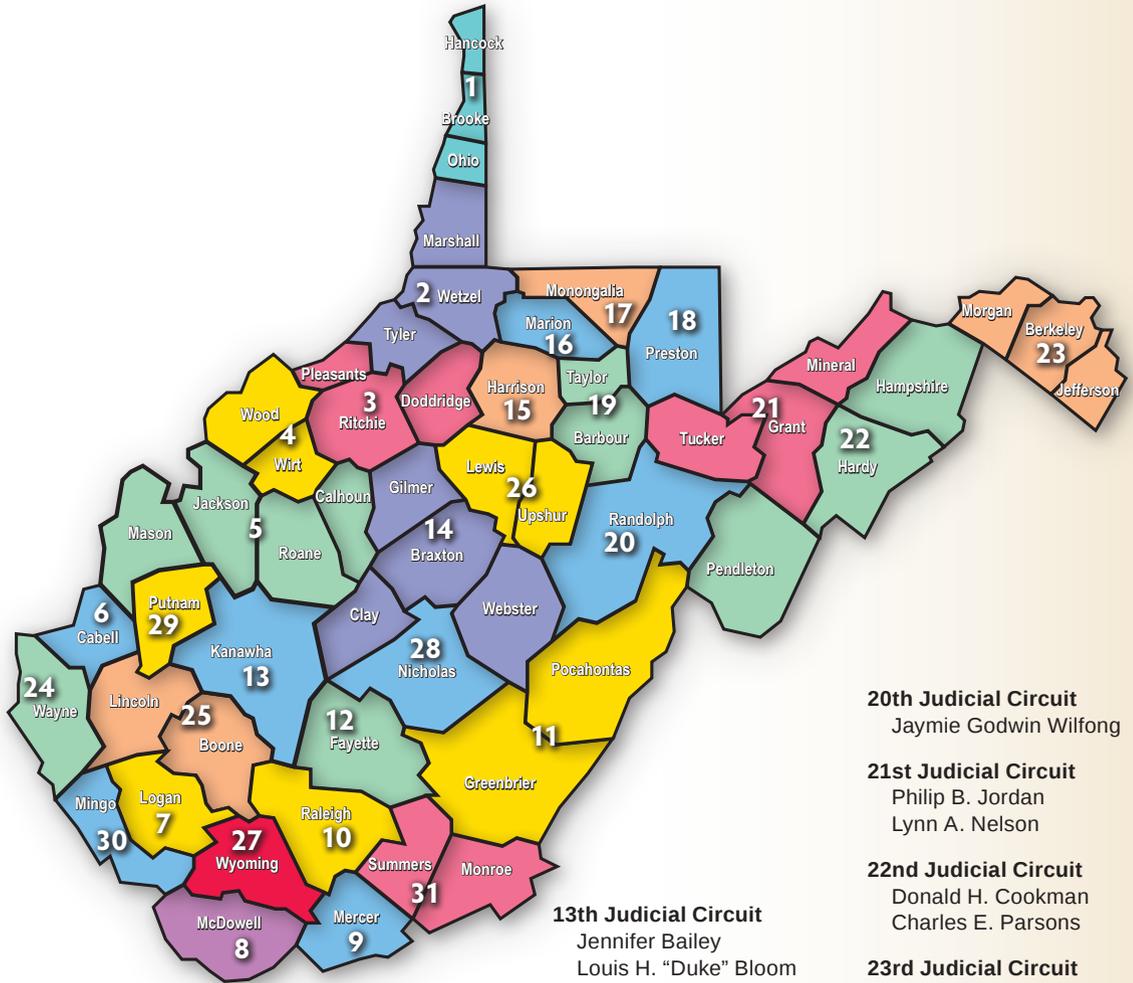
Photographed at the 2011 Spring Judicial Conference



Photograph by Steve Payne

Not pictured: Judge Duke Bloom, Kanawha County; Judge Richard A. Facemire, Braxton County; Judge Martin J. Gaughan, Brooke County; Judge Gina Groh, Berkeley County; Judge David R. Janes, Marion County; Judge Mark A. Karl, Marshall County; Judge Charles E. King, Kanawha County; Judge Lynn A. Nelson, Mineral County; Judge David W. Nibert, Mason County; Judge Eric H. O'Briant, Logan County; Judge Booker T. Stephens, McDowell County; Senior Status Judge L.D. Egnor, Cabell County; Senior Status Judge Donald C. Hott, Mineral County; Senior Status Judge David W. Knight, Mercer County; Senior Status Justice Elliott E. Maynard, Mingo County; Senior Status Judge Charles E. McCarty, Roane County; Senior Status Judge Dan O'Hanlon, Cabell County; Senior Status Judge George M. Scott, Roane County; Senior Status Judge Robert K. Smith, Kanawha County; Senior Status Justice Larry V. Starcher, Monongalia County; Senior Status Judge Thomas W. Steptoe, Jr., Jefferson County.

Roster of Circuit Court Judges



1st Judicial Circuit
 Martin J. Gaughan
 James P. Mazzone
 Arthur M. Recht
 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
(Took office February 14, 2011)
 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
(Took office August 4, 2011)
 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
 Charles E. Parsons

23rd Judicial Circuit
 Gina M. Groh
 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

27th Judicial Circuit
 Warren R. McGraw

28th Judicial Circuit
 Gary L. Johnson

29th Judicial Circuit
 O. C. Spaulding
 Phillip M. Stowers

30th Judicial Circuit
 Michael Thornsby

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.

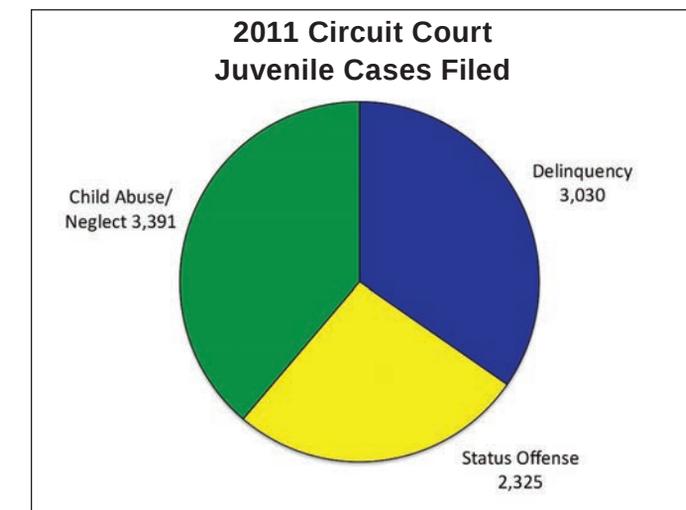
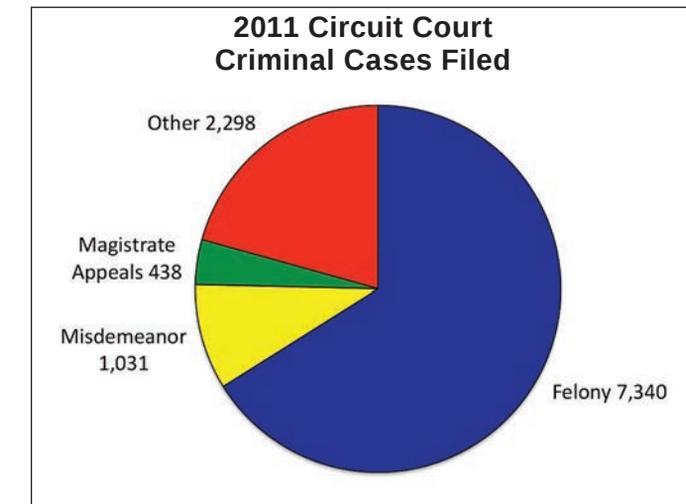
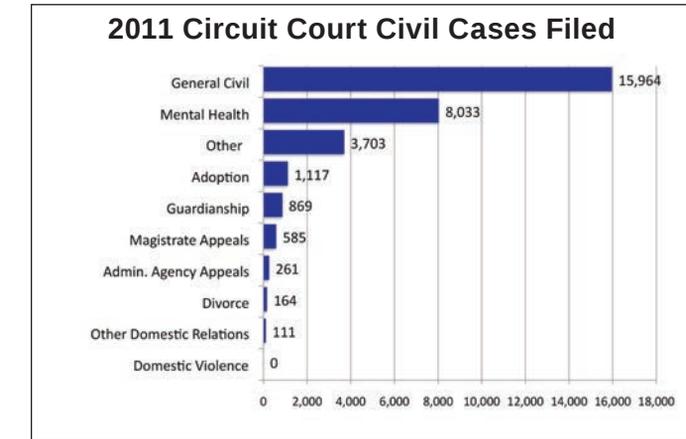
The circuit courts are trial courts of record. They have jurisdiction over all civil cases in which more than \$300 is at issue; all cases on equity; proceedings in *habeas corpus*, *mandamus*, *quo warranto*, prohibition and *certiorari*; and all felonies and misdemeanors.

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 health hygiene matters.

In 2011, a total of 50,660 cases were filed in West Virginia's circuit courts. Of that, 30,807 filings, or about 61 percent, were civil cases; 11,107 filings, or about 22 percent, were criminal cases; and 8,746 filings, or about 17 percent, were juvenile matters.

In addition to their regular caseloads, circuit judges also serve on the Mass Litigation Panel, the



Business Court Committee, 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 Year 2002-2011

	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002
Barbour	361	277	252	353	306	308	202	213	209	251
Berkeley	2,670	2,336	2,329	2,851	2,715	2,526	2,514	2,112	1,927	1,725
Boone	938	999	977	942	824	750	531	656	731	551
Braxton	317	271	290	303	321	326	342	279	279	253
Brooke	473	472	519	533	600	751	597	606	983	575
Cabell	3,978	3,755	3,933	4,038	3,897	3,859	3,915	3,867	3,803	3,628
Calhoun	164	165	154	127	136	128	139	130	109	96
Clay	259	297	193	228	242	182	296	263	226	209
Doddridge	122	147	147	168	137	132	146	151	121	114
Fayette	899	823	840	887	947	915	878	848	775	815
Gilmer	119	125	140	157	147	131	142	83	111	56
Grant	260	278	253	225	224	265	200	222	243	140
Greenbrier	964	825	795	801	881	903	964	948	917	751
Hampshire	381	367	353	420	471	464	477	369	344	334
Hancock	644	684	740	573	680	683	688	684	713	710
Hardy	303	207	269	244	292	286	286	321	243	229
Harrison	1,723	1,567	1,674	1,859	1,816	1,614	1,602	1,623	1,545	1,757
Jackson	631	540	487	472	469	437	393	397	395	337
Jefferson	1,087	1,020	1,082	1,050	972	936	884	926	925	834
Kanawha	7,264	7,529	6,989	6,354	5,358	4,806	4,586	5,634	6,448	6,687
Lewis	621	646	738	702	815	729	777	693	670	657
Lincoln	686	630	625	706	669	636	685	694	630	625
Logan	1,184	1,224	1,025	1,144	1,260	1,389	1,402	1,415	1,312	1,274
Marion	1,934	1,526	1,584	1,452	1,487	1,432	1,451	1,431	1,276	1,431
Marshall	794	835	968	974	1,025	972	880	874	946	905
Mason	740	658	539	1,154	632	605	671	663	2,408	342
McDowell	673	503	--	642	712	705	746	641	719	735
Mercer	2,425	1,970	2,045	2,238	2,441	2,662	2,413	2,305	2,201	2,040
Mineral	609	649	703	629	673	535	294	404	544	327
Mingo	1,169	1,006	1,218	1,113	1,008	1,048	1,060	850	831	603
Monongalia	2,014	1,937	2,010	1,996	1,828	1,896	1,726	1,672	1,837	1,737
Monroe	258	210	226	233	277	212	186	225	163	150
Morgan	376	368	399	364	424	356	346	319	407	280
Nicholas	658	690	768	720	773	713	721	644	620	658
Ohio	1,352	1,402	1,294	1,609	1,443	1,371	1,577	1,358	1,343	1,029
Pendleton	94	97	108	111	89	116	121	116	133	132
Pleasants	125	136	154	139	151	275	244	228	259	279
Pocahontas	264	220	237	241	238	221	232	257	237	235
Preston	674	662	661	688	714	663	650	608	481	565
Putnam	1,066	1,076	1,163	967	1,096	1,062	1,196	1,205	1,057	1,113
Raleigh	2,412	2,436	2,383	2,321	2,389	2,583	2,496	2,621	1,632	2,244
Randolph	538	513	661	692	822	775	748	747	705	729
Ritchie	182	214	213	187	239	185	232	184	177	149
Roane	302	288	293	316	327	373	328	256	263	240
Summers	236	275	250	299	341	257	320	292	301	289
Taylor	414	366	365	439	490	511	503	429	486	393
Tucker	111	124	136	136	200	125	177	141	115	141
Tyler	241	156	165	177	191	178	152	182	160	140
Upshur	481	466	478	483	481	466	429	461	455	423
Wayne	1,093	966	1,015	1,144	1,358	1,117	1,112	985	1,036	1,033
Webster	211	237	188	200	216	183	192	226	171	148
Wetzel	413	406	450	451	454	392	1,793	380	387	345
Wirt	89	94	82	92	106	92	67	157	107	104
Wood	2,152	2,074	2,156	2,170	2,230	2,133	2,186	2,263	2,038	2,036
Wyoming	512	534	607	585	555	628	640	632	618	587
TOTAL	50,660	48,278	48,323	50,099	49,589	47,998	48,535	46,890	47,772	44,170

Notes: (1) Mass litigation filings handled by the Mass Litigation Panel are not included in 2010 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. (3) The decrease in total filings in 2002 is attributed to the creation of new Family Courts in January 2002. Before 2002, the family law master system caseload appeared on the Circuit Court caseload. Please refer to the Family Court County Filings. (4) In 2003, the total Circuit Court caseload included Family Court appeals.

2011 Circuit Court Civil Case Filings

	Total	Admin. Agency Appeals	Adoption	Divorce	General Civil
Barbour	122	0	10	0	79
Berkeley	1,657	7	76	0	1,121
Boone	537	0	16	0	246
Braxton	142	1	11	0	72
Brooke	282	1	9	0	175
Cabell	2,551	5	45	0	957
Calhoun	75	0	14	0	31
Clay	91	0	11	0	50
Doddridge	68	1	2	0	28
Fayette	505	3	24	0	324
Gilmer	84	0	1	0	29
Grant	159	0	6	0	85
Greenbrier	542	2	14	0	323
Hampshire	248	1	16	0	170
Hancock	383	6	8	0	241
Hardy	118	0	5	0	80
Harrison	980	2	48	0	537
Jackson	323	1	2	77	110
Jefferson	755	7	37	0	622
Kanawha	4,736	143	91	0	2,137
Lewis	523	1	6	0	132
Lincoln	342	3	20	0	147
Logan	577	3	45	0	293
Marion	1,280	0	39	0	504
Marshall	504	3	7	44	214
Mason	454	0	17	1	145
McDowell	305	1	14	0	217
Mercer	1,247	2	46	0	733
Mineral	232	0	16	0	134
Mingo	636	3	26	0	504
Monongalia	1,496	7	42	0	784
Monroe	147	8	15	0	90
Morgan	233	1	9	0	140
Nicholas	309	3	11	0	167
Ohio	1,090	10	9	0	434
Pendleton	62	0	7	0	32
Pleasants	94	0	4	0	39
Pocahontas	132	3	1	0	59
Preston	384	0	23	0	265
Putnam	615	3	37	0	383
Raleigh	1,579	9	48	7	1,088
Randolph	365	3	11	0	212
Ritchie	104	0	10	0	72
Roane	181	0	20	0	88
Summers	96	1	4	0	54
Taylor	177	1	11	0	86
Tucker	76	0	5	0	53
Tyler	112	1	11	6	46
Upshur	261	0	13	0	121
Wayne	567	8	44	1	316
Webster	93	0	12	0	53
Wetzel	315	0	11	27	116
Wirt	51	0	4	0	23
Wood	1,551	4	43	0	609
Wyoming	259	3	30	1	194
Total	30,807	261	1,117	164	15,964

2011 Circuit Court Civil Case Filings

	Guardianship	Magistrate Appeals	Mental Health	Other Civil Case	Other Domestic Relations
Barbour	4	5	15	8	1
Berkeley	42	26	197	188	0
Boone	20	5	99	131	20
Braxton	9	2	23	24	0
Brooke	8	1	70	18	0
Cabell	61	60	1,254	168	1
Calhoun	2	1	15	12	0
Clay	7	3	10	10	0
Doddridge	2	0	7	28	0
Fayette	26	8	52	68	0
Gilmer	1	0	4	48	1
Grant	2	3	9	50	4
Greenbrier	16	5	146	36	0
Hampshire	9	5	20	27	0
Hancock	6	8	46	66	2
Hardy	4	5	17	7	0
Harrison	21	14	282	76	0
Jackson	16	8	75	34	0
Jefferson	15	8	66	0	0
Kanawha	101	158	1,531	573	2
Lewis	7	1	333	43	0
Lincoln	9	1	81	81	0
Logan	32	15	173	12	4
Marion	30	34	456	217	0
Marshall	8	8	175	45	0
Mason	13	0	185	87	6
McDowell	13	2	56	0	2
Mercer	53	41	164	208	0
Mineral	15	6	18	43	0
Mingo	8	4	62	29	0
Monongalia	27	31	264	341	0
Monroe	10	1	5	18	0
Morgan	7	2	18	56	0
Nicholas	8	7	56	57	0
Ohio	14	12	408	203	0
Pendleton	2	2	10	7	2
Pleasants	2	2	14	33	0
Pocahontas	6	0	45	18	0
Preston	10	4	38	44	0
Putnam	23	2	143	24	0
Raleigh	51	12	277	30	57
Randolph	8	15	31	85	0
Ritchie	2	1	5	14	0
Roane	12	2	33	23	3
Summers	9	0	8	20	0
Taylor	10	6	40	23	0
Tucker	5	0	3	10	0
Tyler	2	2	29	15	0
Upshur	9	5	35	78	0
Wayne	26	14	81	77	0
Webster	8	0	5	15	0
Wetzel	3	0	144	11	3
Wirt	4	2	1	17	0
Wood	36	26	683	147	3
Wyoming	15	0	16	0	0
Total	869	585	8,033	3,703	111

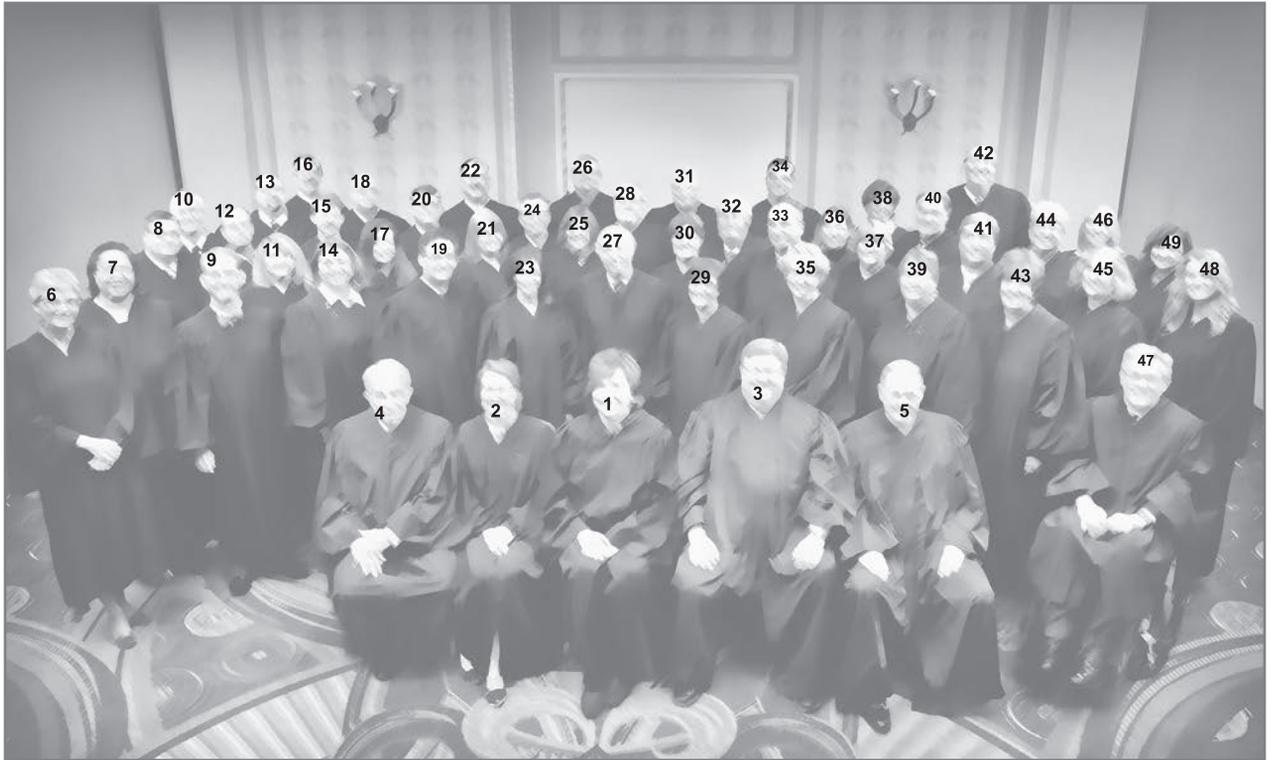
2011 Circuit Court Criminal Case Filings

	Total	Felony	Magistrate Appeals	Misdemeanor	Other Criminal Cases
Barbour	91	50	0	32	9
Berkeley	468	272	188	8	0
Boone	213	145	7	55	6
Braxton	82	56	2	0	24
Brooke	122	84	1	4	33
Cabell	718	472	19	34	193
Calhoun	22	19	1	2	0
Clay	40	38	0	2	0
Doddridge	29	25	0	4	0
Fayette	230	196	6	6	22
Gilmer	6	6	0	0	0
Grant	75	69	1	5	0
Greenbrier	253	173	3	38	39
Hampshire	97	52	4	0	41
Hancock	186	132	3	17	34
Hardy	135	93	1	0	41
Harrison	364	255	6	31	72
Jackson	209	191	1	17	0
Jefferson	201	172	6	23	0
Kanawha	1,834	936	17	225	656
Lewis	71	70	0	1	0
Lincoln	131	73	5	1	52
Logan	315	143	0	135	37
Marion	379	284	64	30	1
Marshall	101	94	4	3	0
Mason	118	83	0	5	30
McDowell	137	136	0	1	0
Mercer	703	365	15	13	310
Mineral	263	177	7	12	67
Mingo	341	101	1	4	235
Monongalia	367	335	10	11	11
Monroe	83	80	1	2	0
Morgan	86	64	3	4	15
Nicholas	145	89	1	0	55
Ohio	144	136	2	0	6
Pendleton	7	6	1	0	0
Pleasants	25	19	3	3	0
Pocahontas	94	42	7	26	19
Preston	226	91	1	8	126
Putnam	282	167	8	16	91
Raleigh	340	240	1	99	0
Randolph	92	66	3	6	17
Ritchie	47	35	2	6	4
Roane	90	84	1	5	0
Summers	85	77	2	6	0
Taylor	138	78	1	30	29
Tucker	14	9	0	2	3
Tyler	79	54	3	9	13
Upshur	131	99	0	32	0
Wayne	159	136	4	12	7
Webster	48	45	0	3	0
Wetzel	54	50	0	4	0
Wirt	25	24	0	1	0
Wood	284	253	20	11	0
Wyoming	128	99	2	27	0
Total	11,107	7,340	438	1,031	2,298

2011 Circuit Court Juvenile Case Filings

	Total	Child Neglect and Abuse	Delinquency	Status Offense
Barbour	148	39	21	88
Berkeley	545	153	240	152
Boone	188	48	120	20
Braxton	93	77	3	13
Brooke	69	26	39	4
Cabell	709	222	412	75
Calhoun	67	55	2	10
Clay	128	121	6	1
Doddridge	25	14	7	4
Fayette	164	99	32	33
Gilmer	29	20	9	0
Grant	26	22	3	1
Greenbrier	169	47	53	69
Hampshire	36	19	17	0
Hancock	75	42	33	0
Hardy	50	31	13	6
Harrison	379	123	149	107
Jackson	99	48	25	26
Jefferson	131	24	84	23
Kanawha	694	245	179	270
Lewis	27	15	12	0
Lincoln	213	32	45	136
Logan	292	107	56	129
Marion	275	84	119	72
Marshall	189	21	77	91
Mason	168	64	27	77
McDowell	231	65	44	122
Mercer	475	258	126	91
Mineral	114	11	79	24
Mingo	192	99	23	70
Monongalia	151	67	35	49
Monroe	28	11	13	4
Morgan	57	21	27	9
Nicholas	204	101	53	50
Ohio	118	67	46	5
Pendleton	25	1	24	0
Pleasants	6	1	4	1
Pocahontas	38	31	2	5
Preston	64	27	17	20
Putnam	169	42	30	97
Raleigh	493	234	169	90
Randolph	81	20	36	25
Ritchie	31	22	9	0
Roane	31	15	10	6
Summers	55	15	21	19
Taylor	99	33	23	43
Tucker	21	7	8	6
Tyler	50	22	28	0
Upshur	89	25	52	12
Wayne	367	85	235	47
Webster	70	65	5	0
Wetzel	44	18	25	1
Wirt	13	5	6	2
Wood	317	150	75	92
Wyoming	125	75	22	28
Total	8,746	3,391	3,030	2,325

Family Court Judges



- | | | | |
|---|--|---|--|
| 1. Chief Justice Margaret L. Workman
Kanawha County | 14. Family Court Judge
Lisa K. Clark
Mercer County | 26. Family Court Judge
Robert C. Hicks
Wetzel County | 38. Family Court Judge
Deloris J. Nibert
Temporary |
| 2. Justice Robin Jean Davis
Kanawha County | 15. Family Court Judge
Ken D. Ballard
Kanawha County | 27. Family Court Judge
Donald K. Bischoff
Nicholas County | 39. Family Court Judge
Mary Ellen Griffith
Mercer County |
| 3. Justice Brent D. Benjamin
Kanawha County | 16. Family Court Judge
Randal A. Minor
Monongalia County | 28. Family Court Judge
Ronald E. Anderson
Cabell County | 40. Family Court Judge
Robert Reed Sowa
Braxton County |
| 4. Justice Menis E. Ketchum
Wayne County | 17. Family Court Judge
Lori Betler Jackson
Harrison County | 29. Family Court Judge
Cornelia Reep
Harrison County | 41. Family Court Judge
C. Darren Tallman
Wood County |
| 5. Justice Thomas E. McHugh
Kanawha County | 18. Family Court Judge
D. Mark Snyder
Kanawha County | 30. Family Court Judge
Sally G. Jackson
Berkeley County | 42. Family Court Judge
Brian C. Dempster
Wood County |
| 6. Family Court Judge
Beth Longo
Barbour County | 19. Family Court Judge
Scott E. Elswick
Lincoln County | 31. Family Court Judge
David M. Sanders
Greenbrier County | 43. Family Court Judge
Patricia Tolle Hill
Monongalia County |
| 7. Family Court Judge
Sharon M. Mullens
Kanawha County | 20. Family Court Judge
William M. Watkins, III
Putnam County | 32. Family Court Judge
R. Stephen Lewis
Wayne County | 44. Family Court Judge
K. Bruce Lazenby
Raleigh County |
| 8. Family Court Judge
William F. Sinclair
Ohio County | 21. Family Court Judge
Kelly Gilmore Codispoti
Logan County | 33. Family Court Judge
Jeffrey L. Hall
Webster County | 45. Family Court Judge
Michele W. Good
Randolph County |
| 9. Family Court Judge
David Born
Temporary | 22. Family Court Judge
David P. Greenberg
Jefferson County | 34. Family Court Judge
J. Jeffrey Culpepper
Temporary | 46. Family Court Judge
Cynthia J. Jarrell
Boone County |
| 10. Family Court Judge
Mike J. Kelly
Kanawha County | 23. Family Court Judge
Amanda Hatfield See
Hardy County | 35. Family Court Judge
Patricia A. Keller
Cabell County | 47. Family Court Judge
Glen Stotler
Morgan County |
| 11. Family Court Judge
Constance Fisher Thomas
Mason County | 24. Family Court Judge
William T. Wertman, Jr.
Berkeley County | 36. Family Court Judge
Joyce Dumbaugh Chernenko
Ohio County | 48. Family Court Judge
H. Suzanne McGraw
Raleigh County |
| 12. Family Court Judge
Robert M. Montgomery
Kanawha County | 25. Family Court Judge
Amy J. Swisher
Marion County | 37. Family Court Judge
Louise G. Staton
Raleigh County | 49. Family Court Judge
Miki J. Thompson
Mingo County |

2011 Supreme Court Justices and Family Court Judges

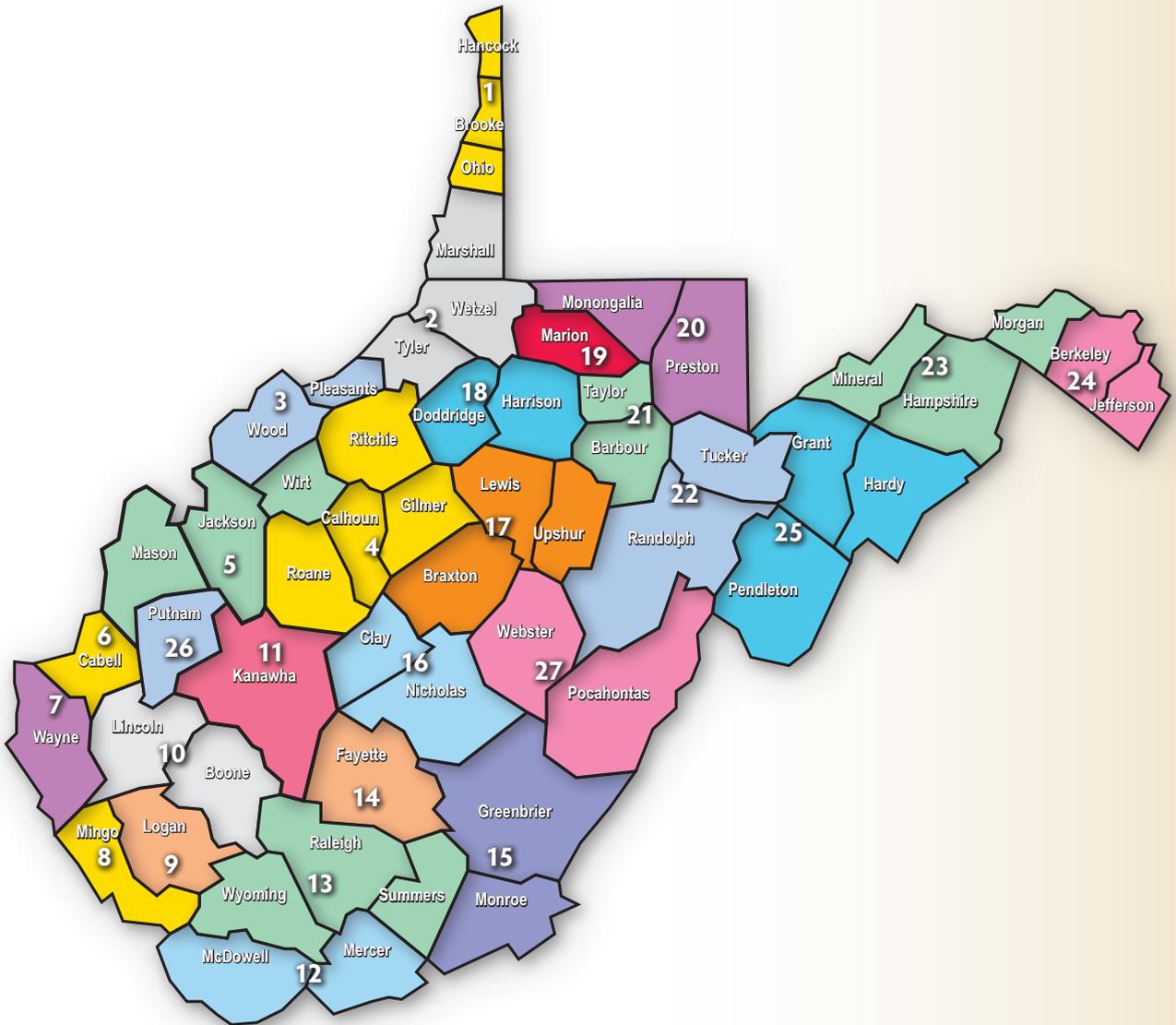
Photographed at the 2011 Fall Judicial Conference



Photograph by Steve Payne

Not Pictured: Family Court Judge Anthony Bisaha, Mercer County; Family Court Judge Rebecca Stafford Cornett, Jackson County; Family Court Judge Matthew England, Fayette County; Family Court Judge Larry S. Whited, Calhoun County.

Roster of 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 Codispoti
Jason D. Harwood

10th Circuit

Cynthia J. Jarrell
Scott E. Elswick

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

Janet Frye Steele
(Retired March 31, 2011)
Matthew D. England
(Took office November 4, 2011)

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
(Took office April 1, 2011)

24th Circuit

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

25th Circuit

Amanda Hatfield See

26th Circuit

William M. Watkins, III

27th Circuit

Jeffrey L. Hall

Family Courts

West Virginia has forty-five family court judges in twenty-seven family court circuits. Family court judges must have practiced law for at least five years. They serve eight-year terms.

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 divorce and other domestic relations decisions directly to the Supreme Court of Appeals.

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.

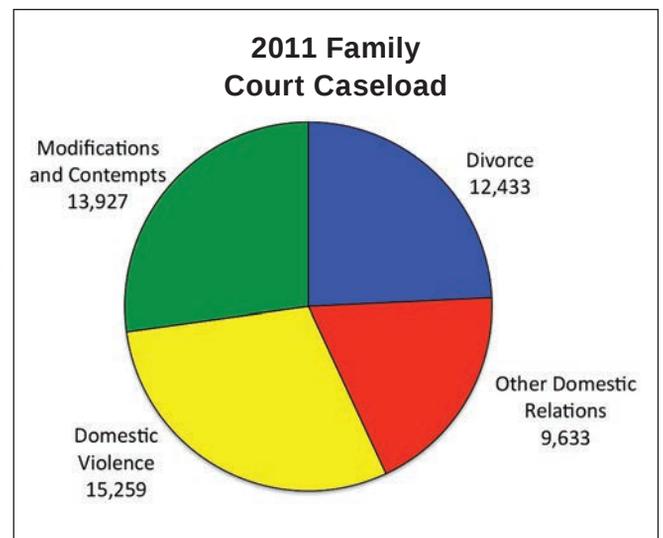
In 2011, there were 37,325 new cases filed in family courts in West Virginia. Of those, 15,259 were domestic violence, 12,433 were divorces, and 9,633 were other domestic relations. There also were 13,927 modification and contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Those proceedings accounted for 27.17

percent of the family court judges' statewide workload.

Family court judges also conducted 878 weddings.

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

Family court judges require all divorcing parents to 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 candidates for mediation for various reasons.

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

Along with mediation, family court judges 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 courts refer select couples to the series of six, two-hour classes. The advanced child-focused parent education classes educate parents regarding the impact of conflict on their child's development; help parents identify their contribution to conflict while increasing impulse control; teach parents anger management, communication, and conflict resolution skills; and educate parents about children's issues in divorce.

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 candidates for mediation for various reasons.

If parents

West Virginians Served by Supreme Court-Supported Family Visitation Centers in 2011

Category	Number
Total Parents Served	1,197
Fathers	568
Mothers	585
Grandparents/Legal Guardians	44
Children Involved	981
Supervised Visitation	841
Neutral Drop-off	418

Total Parents Served = fathers + mothers + grandparents/legal guardians

Family Court County Filings

Calendar Year 2002-2011

	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002
Barbour	266	317	196	236	244	247	184	138	141	244
Berkeley	1,827	1,744	1,713	1,740	1,728	1,814	1,803	1,722	1,603	1,569
Boone	641	592	649	553	645	621	605	663	610	608
Braxton	221	257	234	209	208	235	220	233	243	282
Brooke	365	348	341	300	318	304	344	332	308	323
Cabell	2,176	2,427	2,572	2,483	2,475	2,454	2,388	2,328	2,440	2,341
Calhoun	143	138	137	147	113	119	142	174	158	130
Clay	228	241	305	249	258	325	326	282	243	288
Doddridge	115	108	117	117	121	124	142	133	125	126
Fayette	974	960	1,031	1,039	933	1,030	946	990	897	981
Gilmer	144	124	125	122	86	126	66	50	58	123
Grant	224	204	220	192	186	180	250	127	191	121
Greenbrier	729	723	714	685	593	640	685	713	736	630
Hampshire	357	322	308	307	308	282	279	333	254	276
Hancock	487	547	611	456	519	595	443	388	516	505
Hardy	230	210	271	230	264	276	289	257	247	218
Harrison	1,536	1,267	1,388	1,282	1,263	1,354	1,268	1,187	1,181	1,092
Jackson	586	633	703	446	560	456	487	457	419	472
Jefferson	865	790	817	736	768	752	775	826	783	677
Kanawha	4,362	4,397	4,686	4,244	4,153	4,302	4,741	4,270	4,418	4,375
Lewis	258	291	284	282	265	276	233	285	241	283
Lincoln	487	476	447	417	474	528	549	511	631	550
Logan	1,072	1,074	1,350	1,156	1,052	1,185	1,283	1,210	1,192	1,225
Marion	869	913	868	920	858	843	849	836	901	842
Marshall	586	525	582	554	513	448	526	465	547	461
Mason	598	634	596	433	529	562	474	524	461	480
McDowell	659	537	628	622	684	781	3,220	817	804	788
Mercer	1,627	1,574	1,755	1,724	1,834	1,894	1,943	1,830	1,644	1,691
Mineral	452	486	425	467	507	403	362	380	407	426
Mingo	1,085	1,136	1,108	874	1,025	1,061	1,125	1,119	1,097	1,157
Monongalia	1,259	1,207	1,195	1,235	1,208	1,171	1,183	1,228	1,150	1,110
Monroe	326	301	299	303	329	295	289	298	233	222
Morgan	237	163	223	212	186	223	218	274	226	249
Nicholas	674	673	615	521	507	518	471	495	457	460
Ohio	658	678	687	678	620	731	717	1,386	659	674
Pendleton	72	90	71	96	78	95	87	56	58	60
Pleasants	120	113	127	105	131	156	129	108	109	136
Pocahontas	157	203	165	182	172	214	221	211	184	183
Preston	573	590	609	600	554	523	514	559	521	499
Putnam	944	950	926	930	957	904	946	923	890	871
Raleigh	1,700	1,679	1,772	1,637	1,594	1,669	1,617	1,529	1,319	1,637
Randolph	672	600	613	560	552	511	505	428	500	502
Ritchie	164	188	191	174	148	156	185	145	189	228
Roane	363	320	330	357	300	362	305	329	278	319
Summers	211	240	242	252	270	305	284	246	445	221
Taylor	212	272	201	217	241	221	214	169	199	178
Tucker	92	93	107	100	77	81	99	92	98	124
Tyler	170	184	158	117	151	136	132	145	147	154
Upshur	416	369	364	308	347	343	312	339	357	397
Wayne	641	670	657	676	776	780	821	840	909	800
Webster	180	203	222	230	243	237	193	238	206	179
Wetzel	307	251	272	264	279	230	248	222	290	273
Wirt	134	89	112	90	106	131	103	114	117	131
Wood	2,123	1,957	1,826	1,633	1,633	1,607	1,647	1,524	1,420	1,506
Wyoming	751	734	737	667	763	663	793	746	661	768
Total	37,325	36,812	37,902	35,366	35,706	36,479	39,180	36,224	35,118	35,165

2011 Family Court Case Filings

	Total Filings	Divorce	Domestic Violence	Other Domestic Relations	Total	Contempt	Modification
Barbour	266	101	108	57	99	31	68
Berkeley	1,827	614	719	494	733	294	439
Boone	641	219	198	224	498	141	357
Braxton	221	78	55	88	52	24	28
Brooke	365	143	121	101	52	18	34
Cabell	2,176	642	1,119	415	1,008	423	585
Calhoun	143	69	35	39	39	20	19
Clay	228	105	85	38	138	68	70
Doddridge	115	48	45	22	49	19	30
Fayette	974	313	425	236	407	146	261
Gilmer	144	52	49	43	41	19	22
Grant	224	70	87	67	115	41	74
Greenbrier	729	244	324	161	286	148	138
Hampshire	357	142	93	122	96	38	58
Hancock	487	154	157	176	54	20	34
Hardy	230	80	67	83	95	36	59
Harrison	1,536	450	725	361	324	118	206
Jackson	586	241	201	144	177	57	120
Jefferson	865	296	262	307	317	125	192
Kanawha	4,362	1,252	1,990	1,120	1,841	781	1,060
Lewis	258	143	62	53	78	29	49
Lincoln	487	172	209	106	376	222	154
Logan	1,072	326	465	281	394	136	258
Marion	869	341	324	204	504	219	285
Marshall	586	172	230	184	288	91	197
Mason	598	199	248	151	77	33	44
McDowell	659	196	230	233	280	81	199
Mercer	1,627	447	729	451	546	180	366
Mineral	452	146	139	167	162	59	103
Mingo	1,085	330	468	287	313	154	159
Monongalia	1,259	360	628	271	418	153	265
Monroe	326	93	163	70	73	37	36
Morgan	237	91	71	75	96	43	53
Nicholas	674	254	287	133	236	90	146
Ohio	658	184	215	259	168	91	77
Pendleton	72	39	14	19	28	8	20
Pleasants	120	54	41	25	35	16	19
Pocahontas	157	54	71	32	97	51	46
Preston	573	174	268	131	200	88	112
Putnam	944	430	354	160	365	215	150
Raleigh	1,700	579	632	489	653	295	358
Randolph	672	218	312	142	270	108	162
Ritchie	164	72	52	40	77	37	40
Roane	363	148	129	86	168	76	92
Summers	211	70	66	75	105	47	58
Taylor	212	112	67	33	130	45	85
Tucker	92	43	27	22	56	22	34
Tyler	170	70	65	35	41	15	26
Upshur	416	199	114	103	82	29	53
Wayne	641	340	141	160	139	50	89
Webster	180	76	61	43	129	68	61
Wetzel	307	85	108	114	79	17	62
Wirt	134	50	57	27	25	14	11
Wood	2,123	635	972	516	560	206	354
Wyoming	751	218	375	158	258	120	138
Grand Total	37,325	12,433	15,259	9,633	13,927	5,712	8,215

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. 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 court 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.

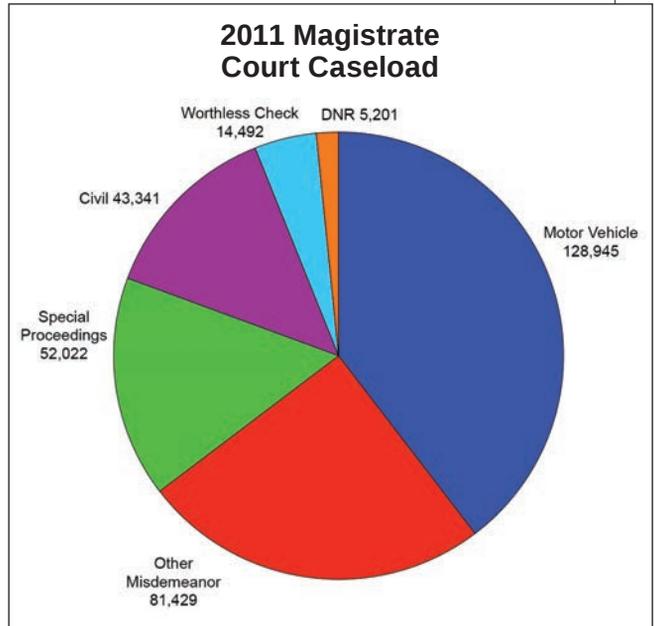
In some counties where there are no mental hygiene commissioners, the chief judge can

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 West Virginia's 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 2011, 325,430 cases were filed in magistrate courts in West Virginia. Of those, 128,945 were motor vehicle cases; 81,429 were other misdemeanors; 52,022 were special proceedings (felony, domestic violence, mental health, abuse and neglect, juvenile, [temporary] emergency protective

orders); 43,341 were civil cases, 14,492 were worthless check cases, and 5,201 were Division of Natural Resources cases.

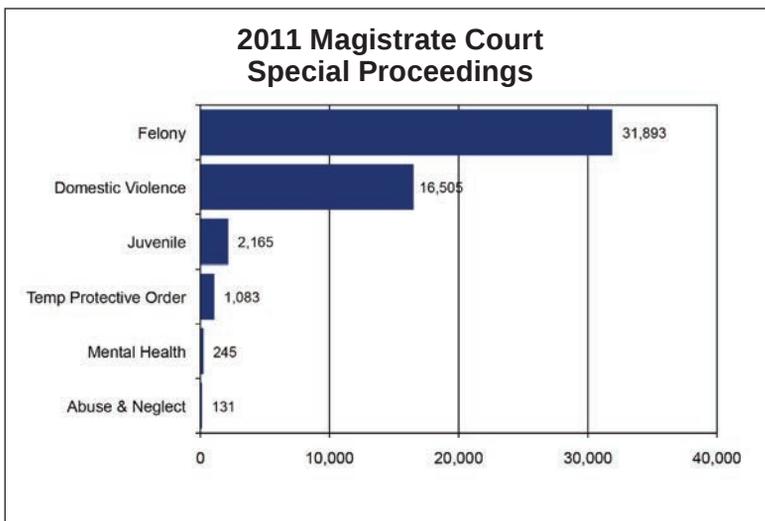


Magistrates work under the administrative supervision of the Supreme Court of Appeals of West Virginia. Former Kanawha County Magistrate Janie Moore is Director of Magistrate Court Services. Brenda Magann is the division's paralegal and Melody Jordan is the Magistrate Court Division Administrative Assistant.

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.

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.

The Court's website is www.courtswv.gov.



Magistrate Court Case Filings

Calendar Year 2002-2011

	2011		Total	2010	2009	2008	2007	2006	2005	2004	2003	2002
	Criminal and Civil	Special Proceedings										
Barbour	1,755	233	1,988	1,841	2,073	2,144	2,106	2,207	2,100	2,517	2,988	2,119
Berkeley	13,823	3,102	16,925	20,457	18,594	22,086	20,464	17,820	17,284	19,480	18,768	18,983
Boone	4,311	1,096	5,407	4,924	5,087	5,309	5,903	5,723	6,142	6,394	5,515	5,061
Braxton	2,552	449	3,001	3,468	2,855	3,188	3,711	3,894	3,944	4,072	3,901	5,004
Brooke	2,975	394	3,369	3,187	3,162	2,948	3,136	3,925	3,992	4,111	3,217	3,158
Cabell	15,858	3,192	19,050	18,840	18,370	18,488	20,355	20,169	21,333	23,391	21,150	19,624
Calhoun	986	137	1,123	932	939	922	765	773	958	926	839	1,079
Clay	2,019	363	2,382	1,950	1,714	1,713	2,534	2,526	2,352	2,500	2,027	1,951
Doddridge	882	146	1,028	1,261	1,269	1,105	1,973	1,276	1,097	1,376	1,346	1,198
Fayette	6,887	1,429	8,316	8,593	8,497	8,118	7,191	7,744	7,851	8,949	7,970	8,476
Gilmer	819	204	1,023	893	1,009	803	1,029	1,102	999	699	938	900
Grant	1,652	537	2,189	2,166	2,136	2,385	2,479	2,454	2,743	1,969	1,865	2,501
Greenbrier	4,134	759	4,893	4,063	4,431	4,963	5,053	6,699	6,085	6,715	6,055	6,542
Hampshire	4,151	561	4,712	4,546	4,686	4,765	5,778	6,079	5,808	5,233	4,598	3,807
Hancock	3,199	527	3,726	3,903	4,125	4,014	4,040	3,889	3,801	3,972	4,207	4,672
Hardy	3,216	343	3,559	3,026	3,380	3,483	3,234	4,038	4,364	4,473	3,668	3,730
Harrison	10,738	2,248	12,986	11,988	11,717	12,350	12,725	12,621	12,020	13,322	15,719	14,508
Jackson	4,687	797	5,484	3,764	3,880	3,990	4,483	4,528	4,754	5,118	4,116	3,585
Jefferson	7,845	1,484	9,329	9,289	9,241	7,740	10,531	15,734	10,962	10,578	9,545	8,227
Kanawha	28,403	5,876	34,279	33,474	38,658	44,802	50,477	39,710	41,920	40,458	34,955	39,289
Lewis	3,458	224	3,682	4,118	4,324	4,306	5,399	5,177	4,729	5,611	6,417	5,232
Lincoln	3,241	843	4,084	4,174	4,627	4,695	4,171	3,666	3,314	3,542	3,232	2,773
Logan	6,907	2,469	9,376	9,613	9,374	10,349	11,995	12,133	11,526	11,653	8,768	8,584
Marion	6,295	1,328	7,623	7,247	9,008	7,428	8,035	7,870	7,259	7,716	7,396	8,750
Marshall	3,624	684	4,308	4,437	4,767	4,347	5,153	5,052	4,972	4,751	4,691	6,854
Mason	3,345	506	3,851	4,018	5,272	4,735	5,418	4,530	4,194	5,222	4,005	4,853
McDowell	3,890	1,049	4,939	4,965	4,925	6,034	5,896	5,064	5,732	5,358	5,156	4,373
Mercer	13,001	3,582	16,583	14,918	14,143	14,755	16,942	18,628	20,545	18,802	17,442	21,585
Mineral	3,772	441	4,213	4,847	4,976	4,638	4,574	4,860	4,896	4,824	3,992	3,160
Mingo	4,327	1,226	5,553	5,482	6,301	7,483	7,204	6,061	6,561	5,384	4,363	5,529
Monongalia	13,611	1,528	15,139	13,387	11,215	13,509	13,889	12,970	11,919	13,048	12,298	12,660
Monroe	1,023	267	1,290	1,458	1,362	1,355	1,340	1,334	1,263	1,362	1,499	1,425
Morgan	2,881	273	3,154	2,974	3,758	3,312	3,236	3,221	4,141	3,946	3,670	3,731
Nicholas	4,517	1,028	5,545	5,728	7,887	7,268	6,775	7,657	7,665	7,112	6,409	7,618
Ohio	8,004	854	8,858	7,691	7,566	6,726	7,742	8,862	8,596	10,376	9,861	9,024
Pendleton	871	69	940	870	865	901	727	1,082	1,200	1,279	1,347	1,607
Pleasants	1,009	113	1,122	1,169	1,169	1,257	1,407	1,340	1,195	1,369	1,523	1,438
Pocahontas	1,331	277	1,608	1,786	1,989	1,490	1,950	2,592	1,444	2,159	1,849	1,929
Preston	4,228	501	4,729	4,230	4,591	5,621	5,392	5,909	5,788	5,288	5,481	6,605
Putnam	5,715	1,058	6,773	7,036	8,110	8,733	8,696	9,641	9,428	10,545	9,557	9,121
Raleigh	15,892	3,203	19,095	17,922	15,545	17,108	18,680	19,937	19,490	21,827	20,676	24,312
Randolph	6,577	612	7,189	6,042	5,969	6,899	6,591	5,845	6,877	7,069	7,592	6,943
Ritchie	2,086	178	2,264	2,193	2,429	3,168	3,850	3,665	3,477	3,287	2,548	2,731
Roane	2,238	575	2,813	2,834	2,619	3,069	3,507	3,518	3,310	3,393	2,683	2,940
Summers	1,246	202	1,448	1,848	1,782	1,788	2,053	1,904	1,780	1,786	1,606	2,140
Taylor	1,552	230	1,782	2,118	1,800	2,121	2,378	2,173	1,866	1,852	1,955	2,243
Tucker	1,390	46	1,436	1,195	1,080	996	1,138	1,141	1,395	1,469	1,275	1,311
Tyler	854	153	1,007	1,065	972	1,041	1,024	1,138	1,034	1,148	1,003	1,186
Upshur	4,868	357	5,225	5,276	5,310	4,368	5,159	5,235	5,771	6,087	6,758	5,705
Wayne	4,167	796	4,963	5,447	5,155	5,705	5,264	5,894	6,983	9,298	7,956	5,815
Webster	972	310	1,282	1,314	1,363	1,614	1,559	1,533	1,297	1,666	1,589	1,222
Wetzel	1,270	231	1,501	1,851	2,005	1,946	1,576	1,861	1,884	1,434	1,601	1,684
Wirt	790	77	867	802	1,244	1,054	959	1,176	917	1,021	998	805
Wood	10,345	1,722	12,067	12,649	14,262	19,666	20,873	17,835	16,001	14,068	12,622	13,338
Wyoming	3,219	1,133	4,352	2,991	3,299	3,475	3,574	3,667	3,987	3,917	3,889	4,362
TOTAL	273,408	52,022	325,430	318,260	326,886	348,276	372,093	367,082	362,945	374,922	347,094	358,002

Note: In 2011 Greenbrier County moved to a new case management and reporting system, causing confusion in calculating its 2010 data. A more accurate total for 2010 has been used to calculate the increase between 2010 and 2011 data.

2011 Magistrate Court Case Filings

	Total	Civil	DNR	Motor Vehicle	Other Misdemeanor	Worthless Check
Barbour	1,755	208	92	852	310	293
Berkeley	13,823	5,145	99	4,439	3,918	222
Boone	4,311	237	57	2,171	1,803	43
Braxton	2,552	195	45	1,557	680	75
Brooke	2,975	269	58	2,102	473	73
Cabell	15,858	3,185	57	7,164	4,993	459
Calhoun	986	94	78	345	364	105
Clay	2,019	147	84	1,125	441	222
Doddridge	882	96	19	528	195	44
Fayette	6,887	647	67	3,962	1,748	463
Gilmer	819	125	15	327	312	40
Grant	1,652	215	91	809	349	188
Greenbrier	4,134	1,013	92	1,229	965	835
Hampshire	4,151	819	141	1,868	960	363
Hancock	3,199	457	20	1,290	1,369	63
Hardy	3,216	373	114	1,550	761	418
Harrison	10,738	1,739	171	4,944	3,372	512
Jackson	4,687	453	139	2,403	1,360	332
Jefferson	7,845	1,700	171	2,376	3,532	66
Kanawha	28,403	3,603	178	15,691	8,498	433
Lewis	3,458	575	144	1,878	430	431
Lincoln	3,241	195	36	1,385	1,558	67
Logan	6,907	497	131	3,558	2,466	255
Marion	6,295	1,386	132	2,966	1,545	266
Marshall	3,624	623	39	1,541	1,250	171
Mason	3,345	254	122	1,935	808	226
McDowell	3,890	250	90	504	3,012	34
Mercer	13,001	3,860	128	5,209	3,087	717
Mineral	3,772	368	48	2,219	1,023	114
Mingo	4,327	245	132	2,286	1,618	46
Monongalia	13,611	2,595	98	7,114	3,548	256
Monroe	1,023	149	51	403	353	67
Morgan	2,881	675	51	1,513	548	94
Nicholas	4,517	501	325	1,827	1,462	402
Ohio	8,004	954	53	3,999	2,760	238
Pendleton	871	87	70	361	199	154
Pleasants	1,009	83	25	446	315	140
Pocahontas	1,331	208	83	480	349	211
Preston	4,228	915	111	2,308	657	237
Putnam	5,715	741	63	3,174	1,340	397
Raleigh	15,892	1,370	185	7,834	5,860	643
Randolph	6,577	1,056	130	2,561	754	2,076
Ritchie	2,086	118	115	1,443	338	72
Roane	2,238	202	91	853	993	99
Summers	1,246	110	141	333	461	201
Taylor	1,552	337	63	784	289	79
Tucker	1,390	225	15	807	191	152
Tyler	854	124	43	362	232	93
Upshur	4,868	1,003	161	2,197	1,011	496
Wayne	4,167	571	41	2,405	989	161
Webster	972	95	180	321	271	105
Wetzel	1,270	175	49	521	386	139
Wirt	790	55	93	294	285	63
Wood	10,345	1,811	115	5,007	3,210	202
Wyoming	3,219	208	59	1,385	1,428	139
Total	273,408	43,341	5,201	128,945	81,429	14,492

2011 Magistrate Court Special Proceedings

	Total	Abuse/ Neglect	Domestic Violence	Felony	Juvenile	Mental Health	Temporary Protective Orders
Barbour	233	0	109	86	3	1	34
Berkeley	3,102	10	631	1,505	391	2	563
Boone	1,096	0	246	850	0	0	0
Braxton	449	8	70	369	2	0	0
Brooke	394	0	127	227	35	2	3
Cabell	3,192	0	1,141	2,044	0	0	7
Calhoun	137	0	35	86	3	12	1
Clay	363	17	92	243	9	2	0
Doddridge	146	7	50	74	14	1	0
Fayette	1,429	0	438	978	0	13	0
Gilmer	204	0	48	151	4	1	0
Grant	537	23	94	325	90	4	1
Greenbrier	759	0	365	389	0	0	5
Hampshire	561	0	92	469	0	0	0
Hancock	527	0	166	317	43	0	1
Hardy	343	2	72	253	14	0	2
Harrison	2,248	0	915	1,185	147	0	1
Jackson	797	0	225	513	52	7	0
Jefferson	1,484	1	0	1,030	95	3	355
Kanawha	5,876	0	2,232	3,644	0	0	0
Lewis	224	0	62	162	0	0	0
Lincoln	843	0	249	331	261	2	0
Logan	2,469	1	479	1,976	12	0	1
Marion	1,328	0	460	865	0	0	3
Marshall	684	0	247	437	0	0	0
Mason	506	0	266	240	0	0	0
McDowell	1,049	0	225	746	66	12	0
Mercer	3,582	0	779	2,770	33	0	0
Mineral	441	0	148	289	2	0	2
Mingo	1,226	11	471	630	111	1	2
Monongalia	1,528	0	698	827	0	0	3
Monroe	267	1	163	99	3	1	0
Morgan	273	0	33	128	32	0	80
Nicholas	1,028	1	308	640	63	14	2
Ohio	854	0	242	571	41	0	0
Pendleton	69	0	14	39	15	1	0
Pleasants	113	0	44	56	6	4	3
Pocahontas	277	0	73	204	0	0	0
Preston	501	7	272	218	3	1	0
Putnam	1,058	0	495	563	0	0	0
Raleigh	3,203	8	775	1,922	398	91	9
Randolph	612	0	366	245	0	0	1
Ritchie	178	2	50	114	10	0	2
Roane	575	0	138	395	19	23	0
Summers	202	0	66	135	1	0	0
Taylor	230	0	81	98	21	30	0
Tucker	46	1	27	17	1	0	0
Tyler	153	2	64	80	6	0	1
Upshur	357	11	142	154	50	0	0
Wayne	796	0	181	604	0	11	0
Webster	310	9	67	223	7	4	0
Wetzel	231	0	119	109	3	0	0
Wirt	77	0	59	18	0	0	0
Wood	1,722	9	1,109	599	5	0	0
Wyoming	1,133	0	385	651	94	2	1
Total	52,022	131	16,505	31,893	2,165	245	1,083

New Facilities

Court Divisions and Offices Move to City Center East

In 2011 Supreme Court Administrative Director Steve Canterbury consolidated the offices of several Supreme Court divisions and quasi-judicial agencies – including some that been squeezed into remodeled older homes near the Capitol – into a modern office tower about a mile away.

The West Virginia Board of Law Examiners, Judicial Investigation Commission, and Office of Disciplinary Counsel were the first to move. They relocated to the twelfth floor of City Center East at 4700 MacCorkle Avenue. “All three offices have boards and the need for security,” Mr. Canterbury said. “We realized that we could combine some of the needs in a single location, the top floor of City Center East.”

The three groups share a large meeting room that also can accommodate presenters or members of the public who wish to attend a meeting. “We wanted to make a single move that would last a long time. That should take care of them for the next generation or more,” said Mr. Canterbury.



Technology Division staff members meet in the eighth floor conference room at City Center East. *Photo by Jennifer Bundy*

While working out the details on the twelfth floor, Mr. Canterbury learned about a server room on the eighth floor that was built for the previous tenant. With relatively little remodeling, the Court now has a first-class, central server room, eliminating rental costs for several previous locations and the costs of employees traveling to the servers for maintenance and upgrades. In December, most of the Division of Technology staff moved to the eighth floor. A few still work in the Capitol to assist the Justices and administrative staff.

When Mr. Canterbury learned that the ninth floor of City Center East was available, he determined it would be a better and safer working environment for the Magistrate Court Division, the Division of Children’s Services, the Mental Hygiene and Treatment Court Services Division, statisticians from the Division of Court Services, and the Mass Litigation



Magistrate Court Director Janie Moore sitting in her office at City Center East. *Photo by Jennifer Bundy*

Panel manager and administrative assistant, all of whom relocated in December. The floor has sixteen offices, and the divisions share a conference room, conference materials preparation area, and break area.

“We love our beautiful space on the ninth floor,” said Magistrate Court Services Director Janie Moore. “The conference room is beautiful, and there is plenty of parking for our meetings with magistrates and magistrate staff. All I can say is ‘awesome.’”

Children’s Services Director Nikki Tennis said, “I was hesitant to relocate, but the roomy offices with views of the Capitol and rolling hills gratify me. I think we are more productive with expansive meeting and work space.”

Brooke County Officials Plan to Renovate Courtroom

In February, the Brooke County Commission put out for bid a plan to renovate the Brooke County Courthouse, mainly the courtroom.

Lou Bernardi, a Weirton-based architect hired for the project, told the *Weirton Daily Times* that the commission wants to lower the ceiling in the courtroom to improve lighting, heating, and acoustics. The commission also hopes to install new drywall and refurbish the judge’s bench, jury box, and pews.

The project will be paid for by a grant from the West Virginia Courthouse Improvement Authority and with local money.

Kanawha County Courthouse Windows Restored

In May 2011, crews began refurbishing the windows at the historic Kanawha County Courthouse.

Because it would have cost more than \$3 million to replace 380 windows, Kanawha County Commissioners decided instead to repair and refurbish the existing windows that have been in place since the courthouse was built in 1892. That project came in at \$1.2 million. The project bid was awarded to Morgantown-based Allegheny Restoration & Builders, Inc., who had been involved in the window restoration work at the State Capitol.

Tucker County Breaks Ground on Courthouse Annex

Tucker County officials and residents gathered on September 16 to break ground on a Tucker County Courthouse annex.

According to *The [Elkins] Inter-Mountain*, the four-story structure will provide secure parking and will house offices for the family court judge, magistrates, prosecuting attorney, county clerk, probation officers, community corrections, and county commissioners. There also will be space dedicated for a courtroom, meeting and holding rooms, judge's chamber, a jury room, and a circuit clerk area and vault. An elevator will also be built at the back of the existing courthouse.

Supreme Court Administrative Director Steve Canterbury attended the groundbreaking and said, "During the last several years and through the work of several different county commissions, the focus has been kept to build the fund in order to make this day a reality. My hat's off to the Tucker County Commission for its foresight and diligence."

The Tucker County Commission hired G.A. Brown to construct the annex at a cost of \$5.7 million. The annex is expected to be complete in late 2012.

Renovations are Approved for Wayne County Judicial Annex

On September 13, Supreme Court Administrative Director Steve Canterbury and Seventh Family Court Circuit (Wayne County) Judge R. Stephen Lewis toured the building that will become the new Wayne County Judicial Annex.

Mr. Canterbury told the Wayne County Commission that the building, which will house the family court, has a good layout. The Supreme Court will pay for furniture, security, and computer systems wiring. Wayne County Commissioner Charles Sammons said the building and the plans allow for expansions if needed in the future, according to a story in the *Wayne County News*.

The building previously housed the Wayne County Community Services Organization and, prior to that, a department store.

Wirt County Marks Courthouse Centennial

On May 28, Wirt County held a rededication ceremony to mark the 100th anniversary of the county courthouse. The current courthouse was built on the same site as a previous courthouse that burned in 1910 after two prisoners set a fire while trying to escape.

B.F. Smith Fireproof Construction Company built the courthouse in the Neo-Classical Revival style of architecture, according to the *Parkersburg News and Sentinel*. The two-story courthouse cost \$45,000 to construct and furnish. It was dedicated on May 30, 1911.

The Wirt County Courthouse was selected as one of fifteen courthouses in the state to be featured in a West Virginia Public Broadcasting documentary called, "A Living Monument: West Virginia's County Courthouses."



John Smith, superintendent of Morgantown-based Allegheny Restoration & Builders, works with employee Derek Skrzynecki to remove one of the windows in the Kanawha County Courthouse on May 9. Photo by Bob Wojcieszak, Charleston Daily Mail



Wirt County Courthouse Photo by Michael Switzer

New Wood County Justice Center Opens

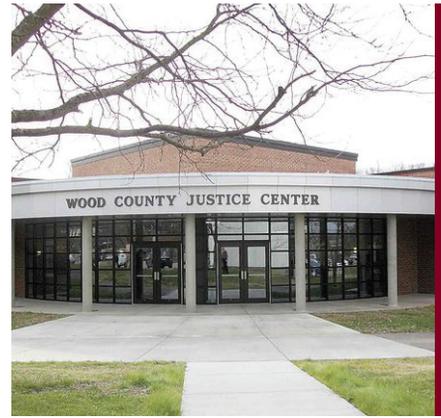
The new Wood County Justice Center, also known as the Joseph P. Albright Sr. Building, was dedicated December 29, 2011. Wood County officials as well as friends, colleagues, and family members of the late Justice Albright attended, according to the *Parkersburg News and Sentinel*.

The former H.J. Hintgen building was renovated at a cost of \$5.1 million to house magistrate court, the law enforcement offices of the sheriff's department, home confinement offices, and a scaled-down holding center. The high-energy efficiency building with the latest security features replaces three inefficient buildings, Wood County Commission President Blair Couch told the newspaper.

Justice Albright died March 20, 2009. In 2010, Wood County Commissioners voted to name the new judicial center after Justice Albright. He is the only Wood County native to have served both as Speaker of the West Virginia House of Delegates and as a Justice of the Supreme Court of Appeals of West Virginia.

Wood County Commissioner Wayne Dunn and Senior Status Justice Larry Starcher spoke during the event in honor of Justice Albright.

A dedication plaque, a plaque recognizing Justice Albright, and his portrait were unveiled at the ceremony. There is also a sign in the building recognizing H.J. Hintgen, for whom the building was named when it was used by the U.S. Bureau of the Public Debt.



The Wood County Justice Center grand opening ceremony was held December 29. *Photo by Pamela Brust, Parkersburg News and Sentinel*



The West Virginia State Bar moved into a new building in late 2011. *Photo by Rick Lee*

The West Virginia State Bar Moves

In late 2011, The West Virginia State Bar completed a three-and-a-half year project by moving to a new location in Northgate Business Park, leaving a renovated house on Kanawha Boulevard that had been its home for twenty years.

A few years ago it became apparent the Bar needed a more functional and modern facility. In 2008, the Bar formed a Building Committee to review options: move, renovate the Kanawha Boulevard location, or build a new building in that location. The Committee consisted of Board of Governors officers and Bar members with experience in real estate and/or construction. Supreme Court Administrative Director Steve Canterbury served as an advisor. Martin J. Glasser, a State Bar Board of Governors member at the time, was the chairman.

After many meetings and hours of research, the committee decided to look for a new location. The new Bar Center is an 82,000-square-foot facility. It features a large foyer, three conference rooms of various sizes, a large deck for social gatherings and meetings, private offices for Bar staff, and a separate downstairs space reserved for confidential meetings and future endeavors of the Bar.

Gary W. Nickerson said the move was a big part of his agenda during his year as Bar President in 2011, and it was a team project.

"The new building is very attractive; it's designed to accommodate meetings and various other functions, and it allows room for future growth," Mr. Nickerson said. "You can see the enthusiasm it has created among the staff and the Bar members who visit. Because it is such a nice facility that has room for depositions and meetings, it provides a better use for all members of the Bar, not just those in the Kanawha Valley and surrounding area."

Anita Casey, Executive Director of The State Bar, said the facility has been used for seminars, depositions, client meetings, mediations, committee meetings, organizational meetings, receptions, and training events.

West Virginia Courthouse Facilities Improvement Authority



The Cabell County Courthouse underwent renovations in 2011. *Photo by Michael Switzer*

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 \$120,000 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 repairs, electrical upgrades, and other repairs. Since its inception, the authority has awarded about \$16 million to counties.

The current Board of Directors' Chairman is W. Richard Staton, Wyoming County Prosecutor. In 2001, he was Chairman of the Judiciary Committee for the House of Delegates and played an instrumental role in the creation of the West Virginia Courthouse Facilities Improvement Authority. Mr. Staton recently said, "The Authority is proud of our beautiful and functional courthouses. Our mission is to keep them that way and maintain them as treasured parts of their communities."

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

Courthouse Facilities Improvement Authority Eighth Cycle Funding Awards

		Project Cost	Award Amount
Barbour	Fire alarm system	\$ 90,422	\$ 72,341
Berkeley	Window replacement	160,000	80,000
Boone	Roof and sealing bell tower	150,000	80,000
Brooke	Roof	109,180	80,000
Cabell	Installation of fire alarm system	159,733	80,000
Clay	Load-bearing wall and trusses in annex	108,000	80,000
Fayette	Electrical upgrade	96,000	76,800
Grant	Entrance ramp and lighting	79,755	63,804
Harrison	Fire safety	89,500	71,600
Kanawha	Windows	1,000,000	80,000
Lewis	Roof	265,500	80,000
Marshall	Window replacement	217,053	80,000
Mason	Courthouse benches, pews, flooring, windows	42,255	33,804
Mercer	Exterior limestone cleaning	250,000	80,000
Morgan	New courthouse	11,000,000	80,000
Pleasants	Roof on old jail	30,000	24,000
Putnam	Phase I windows	100,000	80,000
Randolph	Foundation drain system	60,800	48,640
Roane	Fire alarm system	24,750	19,800
Taylor	HVAC and asbestos abatement	93,813	75,050
Tucker	Exterior brick cleaning and replacement	246,732	80,000
Wayne	Mold removal	1,500,000	80,000
Webster	Fire alarm system	63,264	50,611
Wetzel	Exterior walls restoration	150,000	80,000
Wirt	Fire safety and security	16,807	13,445
Wood	Steps restoration	78,000	62,400
Wyoming	Windows/general exterior	102,016	80,000
Totals		\$16,283,580	\$ 1,812,295

Please note that the \$16,283,580 total includes \$11,000,000 for construction of the Morgan County Courthouse.



Justice Brent D. Benjamin and Justice Thomas E. McHugh enjoy one of many jokes in the lyrics sung by Supreme Court Clerk Rory Perry II and Charleston attorney Cameron McKinney during the Fall 2011 *Sine Die* ceremony. Photos by Steve Payne

Chief Justice Margaret Workman ends every term of Court with gag gifts for her fellow Justices. At the end of the 2011 fall term, she enlisted Supreme Court Clerk Rory Perry for an unusual – and unusually entertaining – *sine die* ceremony. One of Perry’s numerous out-of-court interests is music; he plays guitar and sings in the band Red Salt. He and a fellow band member, Charleston attorney Cameron McKinney, sang to a courtroom full of very surprised Supreme Court employees.

Chief Justice Workman, Perry, and longtime Law Clerk Tom McQuain wrote lyrics to the tune of popular songs that were tailored to each Justice. For Justice Thomas McHugh, who will retire at the end of 2012, the song was “Leaving on a Jet Plane.” Justice Menis Ketchum’s song to the tune of “Take it Easy” featured the line “I can cheer the herd to victory” because he is a former member of Marshall University’s Board of Governors. For Justice Brent Benjamin, who represents the Supreme Court at West Virginia State Bar regional meetings and drug court events, Perry sang to the tune of “On the Road Again.” And the song for the always well-dressed Justice Robin Jean Davis was to the tune of “Long Cool Woman.”

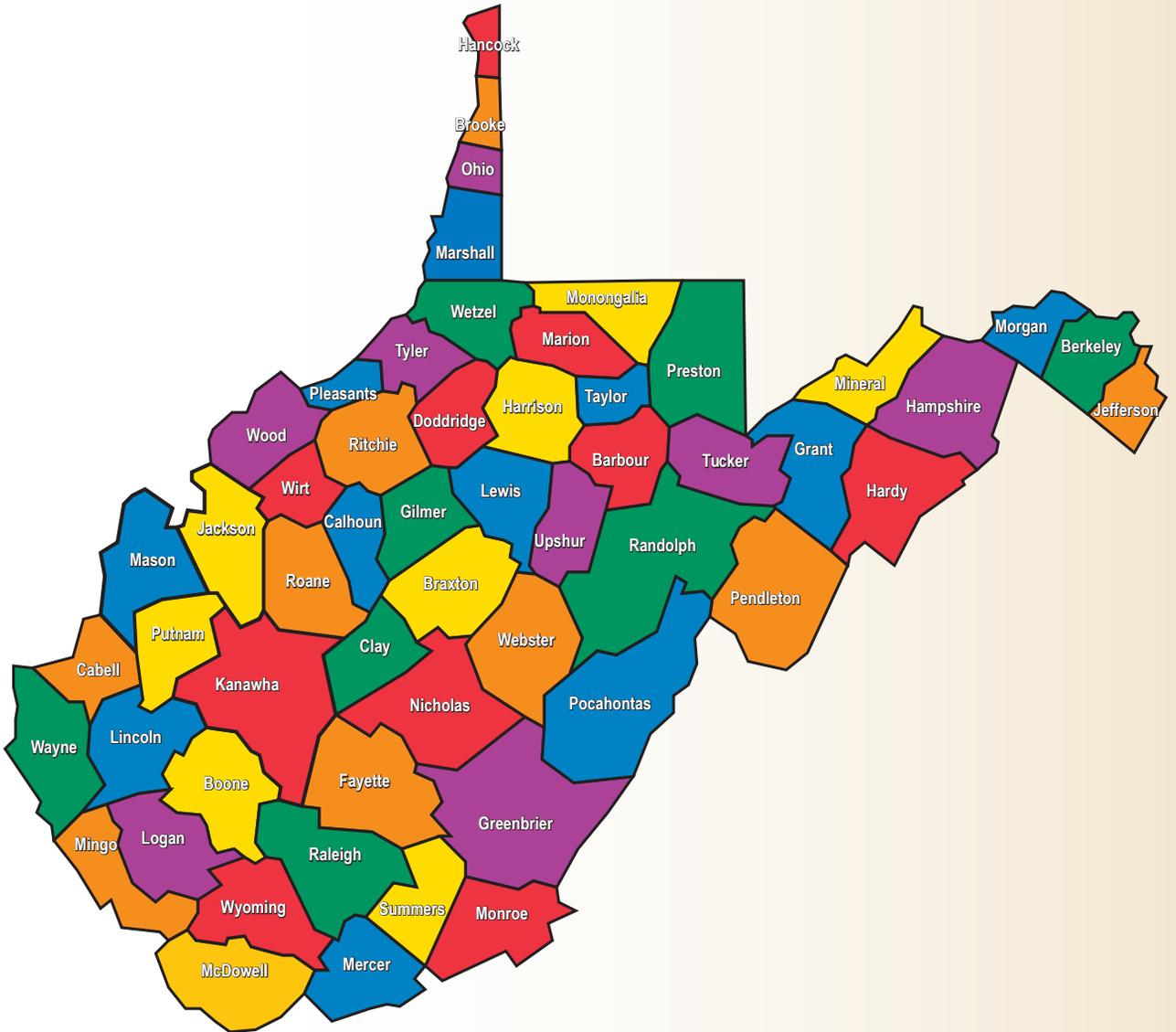
Near the end of the *sine die* ceremony, which usually is a brief event when Justices thank other Justices and Court employees for their work during the term, Perry surprised Chief Justice Workman with a song for her. The title? “Maggie May.” It featured the line: “You wrote the jokes, and that’s how I’m keeping my job.”



West Virginia County Courthouses



Map of West Virginia Counties



Court Expenditures for 2011

Circuit Court.....	\$ 37,224
Family Court.....	328,690
Magistrate Court.....	415,394
Total.....	\$ 781,308
Court Security Fund Grant.....	\$ 33,715
Courthouse Facilities Improvement Authority Grant (Fire Alarm System).....	\$ 72,341

There were 361 cases filed in Barbour County Circuit Court in 2011. Of those, 33.8 percent were civil cases, 25.2 percent were criminal cases, and 41 percent were juvenile cases. Court filings increased 30.3 percent compared to 2010. Barbour County is part of the Nineteenth Judicial Circuit, which also includes Taylor County.

During 2011, 266 new cases were filed in Barbour County Family Court. There were also sixty-eight modification and thirty-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 16.1 percent compared to 2010. The family court judge also conducted twelve marriages in the county in 2011. Barbour County is part of the Twenty-First Family Court Circuit, which also includes Taylor County.

In 2011, there were 1,988 cases filed in Barbour County Magistrate Court, an increase of 8 percent from 2010. Of those, 77.8 percent were criminal cases, 11.7 percent were special proceedings, and 10.5 percent were civil cases.

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

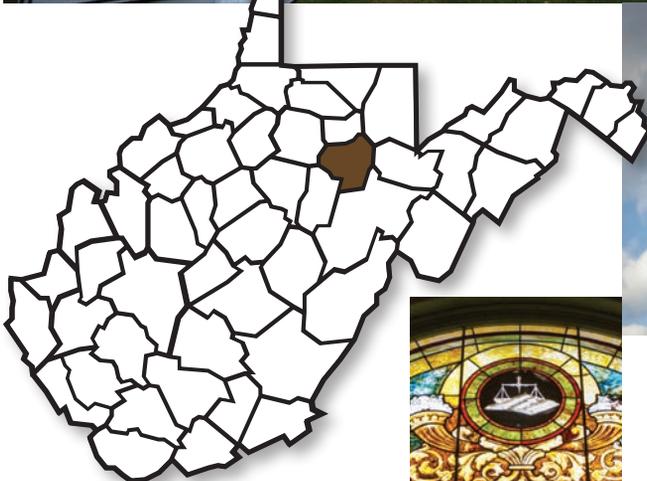
304-457-3454

Barbour County Magistrate Court

Church and Main Streets

Philippi, WV 26416

304-457-3676



Berkeley County

Court Expenditures for 2011

Circuit Court.....	\$ 3,170,593
Family Court.....	387,376
Magistrate Court.....	1,275,163
Total.....	\$ 4,833,132
Court Security Fund Grant.....	\$ 33,717
Courthouse Facilities Improvement Authority Grant (Window Replacement).....	\$ 80,000

Circuit Judges

David H. Sanders, Chief Judge
Gina M. Groh
Gray Silver, III
Christopher C. Wilkes
John C. Yoder

Family Court Judges

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

Magistrates

Joan V. Bragg
James A. Humphrey
Sandra L. "Sandy" Miller
JoAnn B. Overington
Harry L. Snow

Circuit Clerk

Virginia Sine

Magistrate Clerk

Ruby Kay Hawkins

Chief Probation Officer

Mark Hofe

Berkeley County Circuit Court

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

There were 2,670 cases filed in Berkeley County Circuit Court in 2011. Of those, 62.1 percent were civil cases, 17.5 percent were criminal cases, and 20.4 percent were juvenile cases. Court filings increased 14.3 percent compared to 2010. Berkeley County is part of the Twenty-Third Judicial Circuit, which also includes Morgan and Jefferson Counties.

During 2011, 1,827 new cases were filed in Berkeley County Family Court. There were also 439 modification and 294 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 4.8 percent compared to 2010. Family court judges also conducted thirty-six marriages in the county in 2011. Berkeley County is part of the Twenty-Fourth Family Court Circuit, which also includes Jefferson County.

In 2011, there were 16,925 cases filed in Berkeley County Magistrate Court, a decrease of 17.3 percent from 2010. Of those, 51.3 percent were criminal cases, 18.3 percent were special proceedings, and 30.4 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,117,234
Family Court	331,754
Magistrate Court.....	520,397
Total.....	\$ 1,969,386
Court Security Fund Grant.....	\$ 9,650
Courthouse Facilities Improvement Authority Grant (Roof and Bell Tower Seal).....	\$ 80,000

There were 938 cases filed in Boone County Circuit Court in 2011. Of those, 57.2 percent were civil cases, 22.7 percent were criminal cases, and 20.1 percent were juvenile cases. Court filings decreased 6.1 percent compared to 2010. Boone County is part of the Twenty-Fifth Judicial Circuit, which also includes Lincoln County.

During 2011, 641 new cases were filed in Boone County Family Court. There were also 357 modification and 141 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 8.3 percent compared to 2010. A family court judge also conducted two marriages in the county in 2011. Boone County is part of the Tenth Family Court Circuit, which also includes Lincoln County.

In 2011, there were 5,407 cases filed in Boone County Magistrate Court, an increase of 9.8 percent from 2010. Of those, 75.3 percent were criminal cases, 20.3 percent were special proceedings, and 4.4 percent were civil cases.

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



Braxton County

Court Expenditures for 2011

Circuit Court.....	\$ 992,832
Family Court.....	329,511
Magistrate Court.....	488,645
Total.....	\$1,810,988
Court Security Fund Grant.....	\$10,000

Circuit Judges

Richard A. Facemire, Chief Judge
Jack Alsop

Family Court Judge

Robert Reed Sowa

Magistrates

Larry B. Clifton
Mary Beth Smith

Circuit Clerk

Susan Lemon

Magistrate Clerk

Carol J. Frame

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

There were 317 cases filed in Braxton County Circuit Court in 2011. Of those, 44.8 percent were civil cases, 25.9 percent were criminal cases, and 29.3 percent were juvenile cases. Court filings increased 17 percent compared to 2010. Braxton County is part of the Fourteenth Judicial Circuit, which also includes Clay, Gilmer, and Webster Counties.

During 2011, 221 new cases were filed in Braxton County Family Court. There were also twenty-eight modification and twenty-four contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 14 percent compared to 2010. The family court judge also conducted twelve marriages in the county in 2011. Braxton County is part of the Seventeenth Family Court Circuit, which also includes Lewis and Upshur Counties.

In 2011, there were 3,001 cases filed in Braxton County Magistrate Court, a decrease of 13.5 percent from 2010. Of those, 78.5 percent were criminal cases, 15 percent were special proceedings, and 6.5 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,647,743
Family Court	17,492
Magistrate Court.....	489,831
Total.....	\$ 2,155,066
Court Security Fund Grant.....	\$ 5,850
Courthouse Facilities Improvement Authority Grant (Roof Replacement)	\$ 80,000

There were 473 cases filed in Brooke County Circuit Court in 2011. Of those, 59.6 percent were civil cases, 25.8 percent were criminal cases, and 14.6 percent were juvenile cases. Court filings increased 0.2 percent compared to 2010. Brooke County is part of the First Judicial Circuit, which also includes Hancock and Ohio Counties.

During 2011, 365 new cases were filed in Brooke County Family Court. There were also thirty-four modification and eighteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 4.9 percent compared to 2010. Brooke County is part of the First Family Court Circuit, which also includes Hancock and Ohio Counties.

In 2011, there were 3,369 cases filed in Brooke County Magistrate Court, an increase of 5.7 percent from 2010. Of those, 80.3 percent were criminal cases, 11.7 percent were special proceedings, and 8 percent were civil cases.

Circuit Judges

Ronald E. Wilson, Chief Judge
Martin J. Gaughan
James P. Mazzone
Arthur M. Recht

Family Court Judges

Joyce Dumbaugh Chernenko
William F. Sinclair

Magistrates

Michael H. Allman
Robin L. Snyder
(Took office July 1, 2011)

Circuit Clerk

Glenda Brooks

Magistrate Clerk

Valerie S. Hood

Chief Probation Officer

James Lee

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 2011

Circuit Court.....	\$ 3,944,849
Family Court	808,502
Magistrate Court.....	1,572,575
Total.....	\$ 6,325,927

Courthouse Facilities Improvement Authority Grant (Installation of Fire Alarm System)	\$ 80,000
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Circuit Judges

David M. Pancake, Chief Judge
Paul T. Farrell
(Took office February 14, 2011)
Alfred E. Ferguson
F. Jane Husted

Family Court Judges

Ronald E. Anderson
Patricia A. Keller

Magistrates

Rondall "Ron" L. Baumgardner
Darrell G. Black
Daniel M. Goheen
John H. McCallister
Patty Verbage-Spence
Michael J. Woelfel
Betty J. Wolford

Circuit Clerk

Adell Chandler

Magistrate Clerk

Hope E. Romine

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

There were 3,978 cases filed in Cabell County Circuit Court in 2011. Of those, 64.1 percent were civil cases, 18.1 percent were criminal cases, and 17.8 percent were juvenile cases. Court filings increased 5.9 percent compared to 2010. Cabell County comprises the Sixth Judicial Circuit.

During 2011, 2,176 new cases were filed in Cabell County Family Court. There were also 585 modification and 423 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 10.3 percent compared to 2010. Family court judges also conducted thirty-nine marriages in the county in 2011. Cabell County makes up the Sixth Family Court Circuit.

In 2011, there were 19,050 cases filed in Cabell County Magistrate Court, an increase of 1.1 percent over 2010. Of those, 66.5 percent were criminal cases, 16.8 percent were special proceedings, and 16.7 were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 102,842
Family Court.....	38,483
Magistrate Court.....	403,001
Total.....	\$ 544,326

There were 164 cases filed in Calhoun County Circuit Court in 2011. Of those, 45.7 percent were civil cases, 13.4 percent were criminal cases, and 40.9 percent were juvenile cases. Court filings decreased 0.6 percent compared to 2010. Calhoun County is part of the Fifth Judicial Circuit, which also includes Jackson, Mason, and Roane Counties.

During 2011, 143 new cases were filed in Calhoun County Family Court. There were also nineteen modification and twenty contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 3.6 percent compared to 2010. Calhoun County is part of the Fourth Family Court Circuit, which also includes Gilmer, Ritchie, and Roane Counties.

In 2011, there were 1,123 cases filed in Calhoun County Magistrate Court, an increase of 20.5 percent from 2010. Of those, 79.4 percent were criminal cases, 12.2 percent were special proceedings, and 8.4 percent were civil cases.

Circuit Judges

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

Family Court Judge

Larry S. Whited

Magistrates

Richard G. Postalwait
Teresa D. Robinson

Circuit Clerk

Sheila 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 2011

Circuit Court.....	\$279,687
Family Court.....	17,099
Magistrate Court.....	406,307
Total.....	\$703,093
Court Security Fund Grant.....	\$ 7,182
Courthouse Facilities Improvement Authority Grant (Load-Bearing Wall and Trusses in Annex).....	\$ 80,000

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

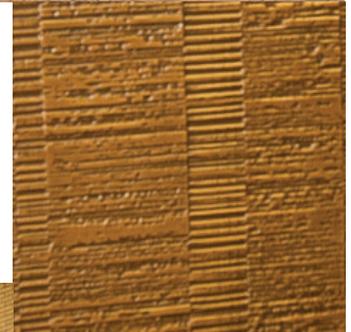
Clay County Magistrate Court

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

There were 259 cases filed in Clay County Circuit Court in 2011. Of those, 35.2 percent were civil cases, 15.4 percent were criminal cases, and 49.4 percent were juvenile cases. Court filings decreased 12.8 percent compared to 2010. Clay County is part of the Fourteenth Judicial Circuit, which also includes Braxton, Gilmer, and Webster Counties.

During 2011, 228 new cases were filed in Clay County Family Court. There were also seventy modification and sixty-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 5.4 percent compared to 2010. The family court judge also conducted five marriages in the county in 2011. Clay County is part of the Sixteenth Family Court Circuit, which also includes Nicholas County.

In 2011, there were 2,382 cases filed in Clay County Magistrate Court, an increase of 22.2 percent from 2010. Of those, 78.6 percent were criminal cases, 15.2 percent were special proceedings, and 6.2 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 326,666
Family Court.....	12,615
Magistrate Court.....	445,069
Total.....	\$ 784,349

There were 122 cases filed in Doddridge County Circuit Court in 2011. Of those, 55.7 percent were civil cases, 23.8 percent were criminal cases, and 20.5 percent were juvenile cases. Court filings decreased 17 percent compared to 2010. Doddridge County is part of the Third Judicial Circuit, which also includes Pleasants and Ritchie Counties.

During 2011, 115 new cases were filed in Doddridge County Family Court. There were also thirty modification and nineteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 6.5 percent compared to 2010. Doddridge County is part of the Eighteenth Family Court Circuit, which also includes Harrison County.

In 2011, there were 1,028 cases filed in Doddridge County Magistrate Court, a decrease of 18.5 percent from 2010. Of those, 76.5 percent were criminal cases, 14.2 percent were special proceedings, and 9.3 percent were civil cases.



Doddridge County

Circuit Judge

Timothy L. Sweeney, Chief Judge

Family Court Judges

Lori B. Jackson
Cornelia A. Reep

Magistrates

D. Frances Davis
Jamie Lou Moran

Circuit Clerk

Dwight E. Moore

Magistrate Clerk

Candi E. Rollins

Chief Probation Officer

Peggy Cline

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

Fayette County

Court Expenditures for 2011

Circuit Court.....	\$ 1,977,479
Family Court.....	358,759
Magistrate Court.....	923,998
Total.....	\$ 3,260,236
Court Security Fund Grant.....	\$19,710
Courthouse Facilities Improvement Authority Grant (Electrical Upgrades)	\$76,800

Circuit Judges

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

Family Court Judge

Matthew Dean England
(Took office November 4, 2011)
Janet Frye Steele
(Retired March 31, 2011)

Magistrates

Charles L. Garvin, III
Sharon R. McGraw
Janice Wiseman
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

There were 899 cases filed in Fayette County Circuit Court in 2011. Of those, 56.2 percent were civil cases, 25.6 percent were criminal cases, and 18.2 percent were juvenile cases. Court filings increased 9.2 percent compared to 2010. Fayette County comprises the Twelfth Judicial Circuit.

During 2011, 974 new cases were filed in Fayette County Family Court. There were also 261 modification and 146 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 1.5 percent compared to 2010. The family court judge also conducted seven marriages in the county in 2011. Fayette County comprises the Fourteenth Family Court Circuit.

In 2011, there were 8,316 cases filed in Fayette County Magistrate Court, a decrease of 3.2 percent from 2010. Of those, 75 percent were criminal cases, 17.2 percent were special proceedings, and 7.8 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 53,033
Family Court.....	9,331
Magistrate Court.....	388,563
Total.....	\$ 450,928
Court Security Fund Grant.....	\$ 3,300

There were 119 cases filed in Gilmer County Circuit Court in 2011. Of those, 70.6 percent were civil cases, 5 percent were criminal cases, and 24.4 percent were juvenile cases. Court filings decreased 4.8 percent compared to 2010. Gilmer County is part of the Fourteenth Judicial Circuit, which also includes Braxton, Clay, and Webster Counties.

During 2011, 144 new cases were filed in Gilmer County Family Court. There were also twenty-two modification and nineteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 16.1 percent compared to 2010. The family court judge also conducted one marriage in the county in 2011. Gilmer County is part of the Fourth Family Court Circuit, which also includes Calhoun, Ritchie, and Roane Counties.

In 2011, there were 1,023 cases filed in Gilmer County Magistrate Court, an increase of 14.6 percent from 2010. Of those, 67.8 percent were criminal cases, 20 percent were special proceedings, and 12.2 percent were civil cases.

Circuit Judges

Richard A. Facemire, Chief Judge
Jack Alsop

Family Court Judge

Larry S. Whited

Magistrates

Robert W. Minigh
Carol L. Wolfe

Circuit Clerk

Karen Elkin

Magistrate Clerk

Linda K. James

Chief Probation Officer

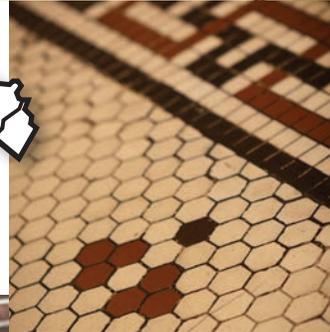
Lucy Cruickshanks

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 2011

Circuit Court.....	\$ 462,666
Family Court.....	16,091
Magistrate Court.....	399,379
Total.....	\$ 878,135

Courthouse Facilities Improvement

Authority Grant (Entrance Ramp and Lighting)	\$63,804
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Circuit Judges

Lynn A. Nelson, Chief Judge
Philip B. Jordan

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

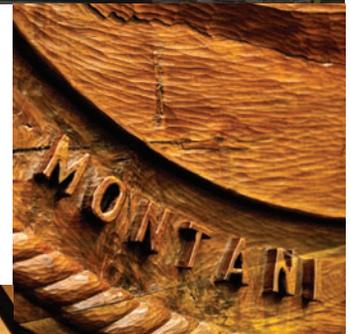
Grant County Magistrate Court

4 North Main Street
Petersburg, WV 26847
304-257-4637

There were 260 cases filed in Grant County Circuit Court in 2011. Of those, 61.2 percent were civil cases, 28.8 percent were criminal cases, and 10 percent were juvenile cases. Court filings decreased 6.5 percent compared to 2010. Grant County is part of the Twenty-First Judicial Circuit, which also includes Mineral and Tucker Counties.

During 2011, 224 new cases were filed in Grant County Family Court. There were also seventy-four modification and forty-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 9.8 percent compared to 2010. The family court judge also conducted two marriages in the county in 2011. Grant County is part of the Twenty-Fifth Family Court Circuit, which also includes Hardy and Pendleton Counties.

In 2011, there were 2,189 cases filed in Grant County Magistrate Court, an increase of 1.1 percent from 2010. Of those, 65.6 percent were criminal cases, 24.6 percent were special proceedings, and 9.8 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,987,026
Family Court	429,348
Magistrate Court.....	820,364
Total.....	\$ 3,236,739
Court Security Fund Grant.....	\$ 20,808

There were 964 cases filed in Greenbrier County Circuit Court in 2011. Of those, 56.2 percent were civil cases, 26.2 percent were criminal cases, and 17.6 percent were juvenile cases. Court filings increased 16.8 percent compared to 2010. Greenbrier County is part of the Eleventh Judicial Circuit, which also includes Pocahontas County.

During 2011, 729 new cases were filed in Greenbrier County Family Court. There were also 138 modification and 148 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 0.8 percent compared to 2010. The family court judge also conducted one marriage in the county in 2011. Greenbrier County is part of the Fifteenth Family Court Circuit, which also includes Monroe County.

In 2011, there were 4,893 cases filed in Greenbrier County Magistrate Court, an increase of 5.3 percent from 2010. Of those, 63.8 percent were criminal cases, 15.5 percent were special proceedings, and 20.7 percent were civil cases.

Circuit Judges

Joseph C. Pomponio, Jr.,
Chief Judge
James J. Rowe

Family Court Judge

David M. Sanders

Magistrates

Charles D. Beard
Brenda L. Campbell
Brenda J. Smith

Circuit Clerk

Louonne 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



Hampshire County

Court Expenditures for 2011

Circuit Court.....	\$ 982,574
Family Court.....	38,286
Magistrate Court.....	471,969
Total.....	\$ 1,492,829
Court Security Fund Grant.....	\$3,410

There were 381 cases filed in Hampshire County Circuit Court in 2011. Of those, 65.1 percent were civil cases, 25.5 percent were criminal cases, and 9.4 percent were juvenile cases. Court filings increased 3.8 percent compared to 2010. Hampshire County is part of the Twenty-Second Judicial Circuit, which also includes Hardy and Pendleton Counties.

During 2011, 357 new cases were filed in Hampshire County Family Court. There were also fifty-eight modification and thirty-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 10.9 percent compared to 2010. Hampshire County is part of the Twenty-Third Family Court Circuit, which also includes Mineral and Morgan Counties.

In 2011, there were 4,712 cases filed in Hampshire County Magistrate Court, an increase of 3.7 percent from 2010. Of those, 70.7 percent were criminal cases, 11.9 percent were special proceedings, and 17.4 percent were civil cases.

Circuit Judges

Donald H. Cookman, Chief Judge
Charles E. Parsons

Family Court Judge

Glen R. Stotler
(Took office April 1, 2011)

Magistrates

Eugene T. Billmeyer
Shirley A. Timbrook

Circuit Clerk

Sonja Embrey

Magistrate Clerk

Wanda L. Billmeyer

Chief Probation Officer

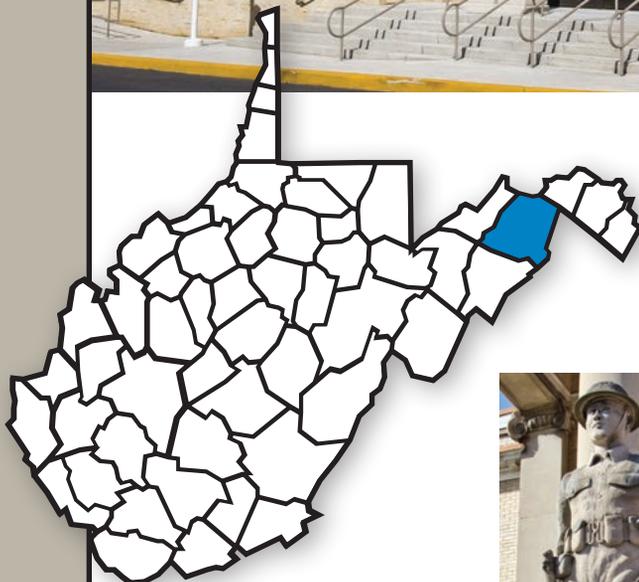
John Rohrbaugh

Hampshire County Circuit Court

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



Court Expenditures for 2011

Circuit Court.....	\$ 807,198
Family Court.....	55,373
Magistrate Court.....	674,835
Total.....	\$1,537,405

There were 644 cases filed in Hancock County Circuit Court in 2011. Of those, 59.5 percent were civil cases, 28.9 percent were criminal cases, and 11.6 percent were juvenile cases. Court filings decreased 5.8 percent compared to 2010. Hancock County is part of the First Judicial Circuit, which also includes Brooke and Ohio Counties.

During 2011, 487 new cases were filed in Hancock County Family Court. There were also thirty-four modification and twenty contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 11 percent compared to 2010. A family court judge also conducted three marriages in the county in 2011. Hancock County is part of the First Family Court Circuit, which also includes Brooke and Ohio Counties.

In 2011, there were 3,726 cases filed in Hancock County Magistrate Court, a decrease of 4.5 percent from 2010. Of those, 73.6 percent were criminal cases, 14.1 percent were special proceedings, and 12.3 percent were civil cases.

Hancock County

Circuit Judges

Ronald E. Wilson, Chief Judge
 Martin J. Gaughan
 James P. Mazzone
 Arthur M. Recht

Family Court Judges

Joyce Dumbaugh Chernenko
 William F. Sinclair

Magistrates

Betty J. Bauer
 William S. Hicks
 Michael W. Powell

Circuit Clerk

Brenda Jackson

Magistrate Clerk

Tamera A. Smith

Chief Probation Officer

James Lee

Hancock County Courthouse

102 Court Street
 New Cumberland, WV 26047
 304-564-3311 ext. 261

Hancock County Magistrate Court

10 South Court Street
 New Cumberland, WV 26047
 304-564-3355



Hardy County

Court Expenditures for 2011

Circuit Court.....	\$ 791,360
Family Court.....	313,383
Magistrate Court.....	399,627
Total.....	\$ 1,504,370
Court Security Fund Grant.....	\$ 58,997

Circuit Judges

Donald H. Cookman, Chief Judge
Charles E. Parsons

Family Court Judge

Amanda Hatfield See

Magistrates

Shawna Crites
(Took office July 1, 2011)
Craig A. Hose
Daniel M. Poling
(Retired March 31, 2011)

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

There were 303 cases filed in Hardy County Circuit Court in 2011. Of those, 38.9 percent were civil cases, 44.6 percent were criminal cases, and 16.5 percent were juvenile cases. Court filings increased 46.4 percent compared to 2010. Hardy County is part of the Twenty-Second Judicial Circuit, which also includes Hampshire and Pendleton Counties.

During 2011, 230 new cases were filed in Hardy County Family Court. There were also fifty-nine modification and thirty-six contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 9.5 percent compared to 2010. The family court judge also conducted twenty-four marriages in the county in 2011. Hardy County is part of the Twenty-Fifth Family Court Circuit, which also includes Grant and Pendleton Counties.

In 2011, there were 3,559 cases filed in Hardy County Magistrate Court, an increase of 17.6 percent from 2010. Of those, 79.9 percent were criminal cases, 9.6 percent were special proceedings, and 10.5 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 2,787,867
Family Court.....	679,641
Magistrate Court.....	1,160,306
Total.....	\$ 4,627,814
Court Security Fund Grant.....	\$ 36,977
Courthouse Facilities Improvement Authority Grant (Fire Safety)	\$ 71,600

There were 1,723 cases filed in Harrison County Circuit Court in 2011. Of those, 56.9 percent were civil cases, 21.1 percent were criminal cases, and 22 percent were juvenile cases. Court filings increased 10 percent compared to 2010. Harrison County comprises the Fifteenth Judicial Circuit.

During 2011, 1,536 new cases were filed in Harrison County Family Court. There were also 206 modification and 118 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 21.2 percent compared to 2010. A family court judge also conducted sixty-one marriages in the county in 2011. Harrison County is part of the Eighteenth Family Court Circuit, which also includes Doddridge County.

In 2011, there were 12,986 cases filed in Harrison County Magistrate Court, an increase of 8.3 percent from 2010. Of those, 69.3 percent were criminal cases, 17.3 percent were special proceedings, and 13.4 percent were civil cases.

Circuit Judges

J. Lewis Marks, Jr., Chief Judge
Thomas A. Bedell
James A. Matish

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

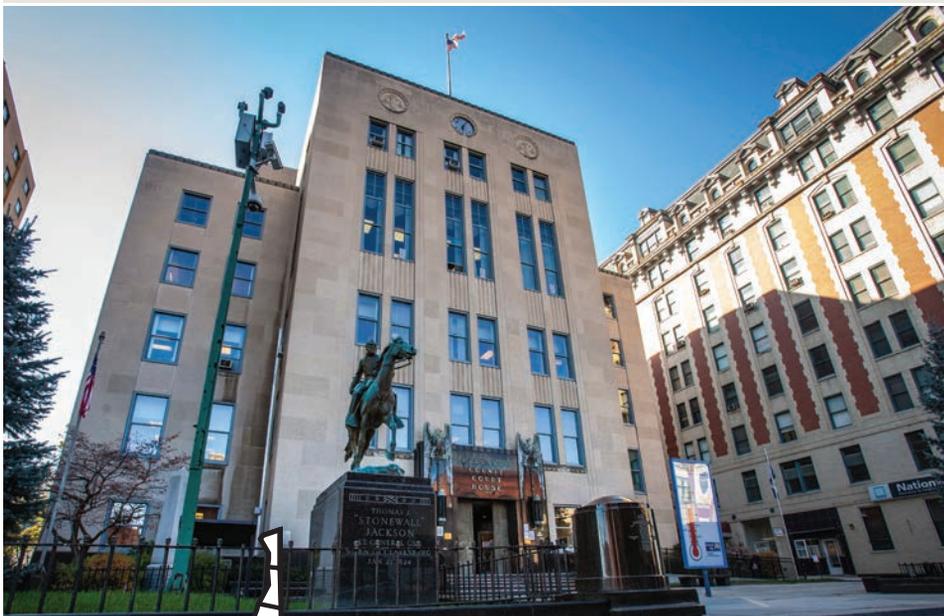
Charles Scott

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



Jackson County

Court Expenditures for 2011

Circuit Court.....	\$ 910,850
Family Court.....	435,320
Magistrate Court.....	537,014
Total.....	\$1,883,184
Court Security Fund Grant.....	\$ 28,922

Circuit Judges

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

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
(Took office June 1, 2011)
Amy S. Smith
(Left office March 22, 2011)

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

There were 631 cases filed in Jackson County Circuit Court in 2011. Of those, 51.2 percent were civil cases, 33.1 percent were criminal cases, and 15.7 percent were juvenile cases. Court filings increased 16.9 percent compared to 2010. Jackson County is part of the Fifth Judicial Circuit, which also includes Calhoun, Mason, and Roane Counties.

During 2011, 586 new cases were filed in Jackson County Family Court. There were also 120 modification and fifty-seven contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 7.4 percent compared to 2010. A family court judge also conducted one marriage in the county in 2011. Jackson County is part of the Fifth Family Court Circuit, which also includes Mason and Wirt Counties.

In 2011, there were 5,484 cases filed in Jackson County Magistrate Court, an increase of 45.7 percent from 2010. Of those, 77.2 percent were criminal cases, 14.5 percent were special proceedings, and 8.3 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,234,932
Family Court.....	555,869
Magistrate Court.....	797,818
Total.....	\$ 2,588,619
Court Security Fund Grant.....	\$ 13,000

There were 1,087 cases filed in Jefferson County Circuit Court in 2011. Of those, 69.5 percent were civil cases, 18.5 percent were criminal cases, and 12 percent were juvenile cases. Court filings increased 6.6 percent compared to 2010. Jefferson County is part of the Twenty-Third Judicial Circuit, which also includes Berkeley and Morgan Counties.

During 2011, 865 new cases were filed in Jefferson County Family Court. There were also 192 modification and 125 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 9.5 percent compared to 2010. A family court judge also conducted forty-five marriages in the county in 2011. Jefferson County is part of the Twenty-Fourth Family Court Circuit, which also includes Berkeley County.

In 2011, there were 9,329 cases filed in Jefferson County Magistrate Court, an increase of 0.4 percent from 2010. Of those, 65.9 percent were criminal cases, 15.9 percent were special proceedings, and 18.2 percent were civil cases.

Circuit Judges

David H. Sanders, Chief Judge
Gina M. Groh
Gray Silver, III
Christopher C. Wilkes
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 Rattenni

Magistrate Clerk

Bonnie L. Seal

Chief Probation Officer

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



Kanawha County

Court Expenditures for 2011

Circuit Court.....	\$ 8,127,028
Family Court.....	1,824,633
Magistrate Court.....	2,519,827
Total.....	\$12,471,488
Court Security Fund Grant.....	\$ 26,602
Courthouse Facilities Improvement Authority Grant (Repair Windows).....	\$ 80,000

Circuit Judges

Paul Zakaib Jr., Chief Judge
Jennifer F. Bailey
Louis H. "Duke" Bloom
Tod J. Kaufman
Charles E. King
James C. Stucky
Carrie Webster

Family Court Judges

Kenneth D. Ballard
Michael J. Kelly
Robert M. Montgomery
Sharon M. Mullens
D. Mark Snyder

Magistrates

Josanna Kim Aaron
Carol A. Fouty
Tim C. Halloran
Ward Harshbarger, III
Pete C. Lopez
Jack Pauley
Joseph L. Shelton
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 Circuit Court

Kanawha County Judicial Building
111 Court Street
Charleston, WV 25301
304-357-0440

Kanawha County Magistrate Court

111 Court Street
Charleston, WV 25301
304-357-0422

There were 7,264 cases filed in Kanawha County Circuit Court in 2011. Of those, 65.2 percent were civil cases, 25.2 percent were criminal cases, and 9.6 percent were juvenile cases. Court filings decreased 3.5 percent compared to 2010. Kanawha County is the only county in the Thirteenth Judicial Circuit.

During 2011, 4,362 new cases were filed in Kanawha County Family Court. There were also 1,060 modification and 781 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 0.8 percent compared to 2010. Family court judges also conducted 226 marriages in the county in 2011. Kanawha County makes up the Eleventh Family Court Circuit.

In 2011, there were 34,279 cases filed in Kanawha County Magistrate Court, an increase of 2.4 percent from 2010. Of those, 72.3 percent were criminal cases, 17.1 percent were special proceedings, and 10.6 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 414,381
Family Court.....	45,793
Magistrate Court.....	500,813
Total.....	\$ 960,987
Court Security Fund Grant.....	\$ 25,000
Courthouse Facilities Improvement Authority Grant (Roof Repair).....	\$ 80,000

There were 621 cases filed in Lewis County Circuit Court in 2011. Of those, 84.2 percent were civil cases, 11.4 percent were criminal cases, and 4.4 percent were juvenile cases. Court filings decreased 3.9 percent compared to 2010. Lewis County is part of the Twenty-Sixth Judicial Circuit, which also includes Upshur County.

During 2011, 258 new cases were filed in Lewis County Family Court. There were also forty-nine modification and twenty-nine contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 11.3 percent compared to 2010. The family court judge also conducted three marriages in the county in 2011. Lewis County is part of the Seventeenth Family Court Circuit, which also includes Braxton and Upshur Counties.

In 2011, there were 3,682 cases filed in Lewis County Magistrate Court, a decrease of 10.6 percent. Of the 2011 filings, 78.3 percent were criminal cases, 6.1 percent were special proceedings, and 15.6 percent were civil cases.

Circuit Judge

Thomas H. Keadle, Chief Judge

Family Court Judge

Robert Reed Sowa

Magistrates

Sharon A. Hull

James D. Moody

Circuit Clerk

John Hinzman

Magistrate Clerk

Carolyn S. Williams

Chief Probation Officer

Serena Peterson

Lewis County Courthouse

110 Center Avenue

Weston, WV 26452

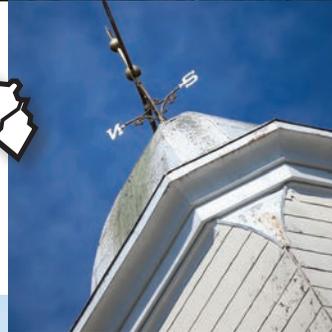
304-269-8210

Lewis County Magistrate Court

111 Court Street

Weston, WV 26452

304-269-8230



Lincoln County

Court Expenditures for 2011

Circuit Court.....	\$ 1,139,056
Family Court.....	444,698
Magistrate Court.....	460,786
Total.....	\$ 2,044,539

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

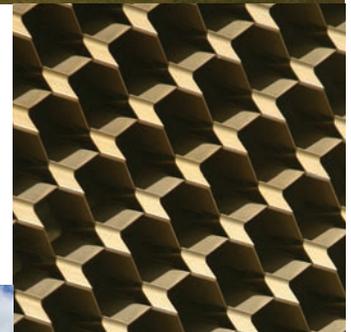
Lincoln County Magistrate Court

8000 Court Avenue
Hamlin, WV 25523
304-824-5001 ext. 235

There were 686 cases filed in Lincoln County Circuit Court in 2011. Of those, 49.9 percent were civil cases, 19.1 percent were criminal cases, and 31 percent were juvenile cases. Court filings increased 8.9 percent compared to 2010. Lincoln County is part of the Twenty-Fifth Judicial Circuit, which also includes Boone County.

During 2011, 487 new cases were filed in Lincoln County Family Court. There were also 154 modification and 222 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 2.3 percent compared to 2010. A family court judge also conducted twenty-three marriages in the county in 2011. Lincoln County is part of the Tenth Family Court Circuit, which also includes Boone County.

In 2011, there were 4,084 cases filed in Lincoln County Magistrate Court, a decrease of 2.2 percent from 2010. Of those, 74.6 percent were criminal cases, 20.6 percent were special proceedings, and 4.8 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 2,180,371
Family Court	618,751
Magistrate Court.....	871,138
Total.....	\$ 3,670,260
Court Security Fund Grant.....	\$ 33,900

There were 1,184 cases filed in Logan County Circuit Court in 2011. Of those, 48.7 percent were civil cases, 26.6 percent were criminal cases, and 24.7 percent were juvenile cases. Court filings decreased 3.3 percent compared to 2010. Logan County comprises the Seventh Judicial Circuit.

During 2011, 1,072 new cases were filed in Logan County Family Court. There were also 258 modification and 136 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 0.2 percent compared to 2010. Family court judges also conducted forty-eight marriages in the county in 2011. Logan County makes up the Ninth Family Court Circuit.

In 2011, there were 9,376 cases filed in Logan County Magistrate Court, a decrease of 2.5 percent from 2010. Of those, 68.4 percent were criminal cases, 26.3 percent were special proceedings, and 5.3 percent were civil cases.

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



Marion County

Court Expenditures for 2011

Circuit Court.....	\$ 2,133,444
Family Court.....	313,250
Magistrate Court.....	938,296
Total.....	\$ 3,384,991
Court Security Fund Grant.....	\$ 9,429

Circuit Judges

David R. Janes, Chief Judge
Michael J. Aloï
(Took office August 1, 2011)

Family Court Judge

Amy J. Swisher

Magistrates

Melissa Pride Linger
Hank E. Middlemas
Cathy L. Reed-Vanata
Rebecca L. Tate

Circuit Clerk

Barbara Core

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

There were 1,934 cases filed in Marion County Circuit Court in 2011. Of those, 66.2 percent were civil cases, 19.6 percent were criminal cases, and 14.2 percent were juvenile cases. Court filings increased 26.7 percent compared to 2010. Marion County comprises the Sixteenth Judicial Circuit.

During 2011, 869 new cases were filed in Marion County Family Court. There were also 285 modification and 219 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 4.8 percent compared to 2010. The family court judge also conducted two marriages in the county in 2011. Marion County makes up the Nineteenth Family Court Circuit.

In 2011, there were 7,623 cases filed in Marion County Magistrate Court, an increase of 5.2 percent from 2010. Of those, 64.4 percent were criminal cases, 17.4 percent were special proceedings, and 18.2 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,749,372
Family Court.....	52,540
Magistrate Court.....	789,386
Total.....	\$ 2,591,298

Courthouse Facilities Improvement Authority Grant (Window Replacement).....	\$ 80,000
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There were 794 cases filed in Marshall County Circuit Court in 2011. Of those, 63.5 percent were civil cases, 12.7 percent were criminal cases, and 23.8 percent were juvenile cases. Court filings decreased 4.9 compared to 2010. Marshall County is part of the Second Judicial Circuit, which also includes Tyler and Wetzel Counties.

During 2011, 586 new cases were filed in Marshall County Family Court. There were also 197 modification and ninety-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 11.6 percent compared to 2010. The family court judge also conducted seven marriages in the county in 2011. Marshall County is part of the Second Family Court Circuit, which also includes Tyler and Wetzel Counties.

In 2011, there were 4,308 cases filed in Marshall County Magistrate Court, a decrease of 2.9 percent from 2010. Of those, 69.7 percent were criminal cases, 15.9 percent were special proceedings, and 14.4 percent were civil cases.

Circuit Judges

David W. Hummel, Jr., Chief Judge
Mark A. Karl

Family Court Judge

Robert C. Hicks

Magistrates

William D. Anderson
David M. Buzzard
Mark A. Kerwood

Circuit Clerk

David Ealy

Magistrate Clerk

Angela Bee
(Left office April 26, 2011)
Vickie D. Best
(Took office April 27, 2011)

Chief Probation Officer

John Lantz

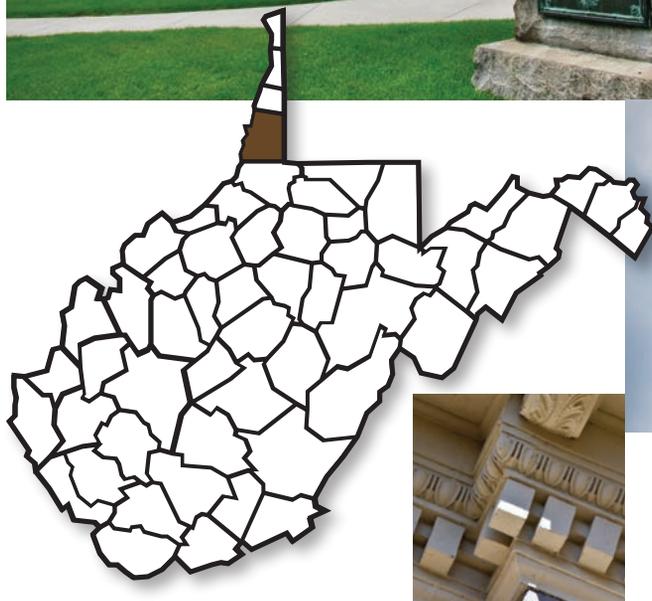
Marshall County Courthouse

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 2011

Circuit Court.....	\$ 933,199
Family Court.....	395,153
Magistrate Court.....	509,020
Total.....	\$ 1,837,372

Courthouse Facilities Improvement Authority Grant
(Seating, Flooring, and Windows for Courthouse) \$ 33,804

Circuit Judges

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

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

There were 740 cases filed in Mason County Circuit Court in 2011. Of those, 61.4 percent were civil cases, 15.9 percent were criminal cases, and 22.7 percent were juvenile cases. Court filings increased 12.5 percent compared to 2010. Mason County is part of the Fifth Judicial Circuit, which also includes Calhoun, Jackson, and Roane Counties.

During 2011, 598 new cases were filed in Mason County Family Court. There were also forty-four modification and thirty-three contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 5.7 percent compared to 2010. A family court judge also conducted forty-two marriages in the county in 2011. Mason County is part of the Fifth Family Court Circuit, which also includes Jackson and Wirt Counties.

In 2011, there were 3,851 cases filed in Mason County Magistrate Court, a decrease of 4.2 percent from 2010. Of those, 80.3 were criminal cases, 13.1 percent were special proceedings, and 6.6 percent were civil cases.



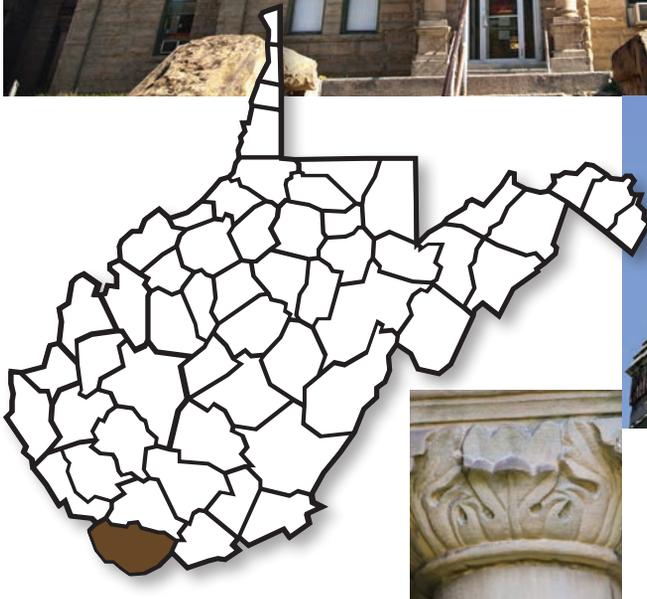
Court Expenditures for 2011

Circuit Court.....	\$ 1,372,511
Family Court.....	128,295
Magistrate Court.....	665,572
Total.....	\$ 2,166,378

There were 673 cases filed in McDowell County Circuit Court in 2011. Of those, 45.3 percent were civil cases, 20.4 percent were criminal cases, and 34.3 percent were juvenile cases. Court filings increased 33.8 percent compared to 2010. McDowell County comprises the Eighth Judicial Circuit.

During 2011, 659 new cases were filed in McDowell County Family Court. There were also 199 modification and eighty-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 22.7 percent compared to 2010. McDowell County is in the Twelfth Family Court Circuit, which also includes Mercer County.

In 2011, there were 4,939 cases filed in McDowell County Magistrate Court, a decrease of 0.5 percent from 2010. Of those, 73.7 percent were criminal cases, 21.2 percent were special proceedings, and 5.1 percent were civil cases.



McDowell County

Circuit Judges

Rudolph J. Murensky, II, Chief Judge
Booker T. Stephens

Family Court Judges

Anthony Bisaha
Lisa K. Clark
Mary Ellen Griffith

Magistrates

Pete J. Beavers, Jr.
(Retired February 28, 2011)
Steve L. Cox
James R. VanDyke
(Took office March 1, 2011)
Martin B. West

Circuit Clerk

Francine Spencer

Magistrate Clerk

Janet L. England

Chief Probation Officer

Jerome Powell

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 2011

Circuit Court.....	\$ 1,984,285
Family Court.....	1,154,884
Magistrate Court.....	1,217,129
Total.....	\$ 4,356,299
Court Security Fund Grant.....	\$ 79,897
Courthouse Facilities Improvement Authority Grant (Exterior Limestone Cleaning).....	\$ 80,000

Circuit Judges

Omar J. Aboulhosn, Chief Judge
William J. Sadler
Derek C. Swope

Family Court Judges

Anthony Bisaha
Lisa K. Clark
Mary Ellen Griffith

Magistrates

Roy M. Compton
(Left office January 31, 2011)
James E. Dent
Michael D. Flanigan
Richard D. Fowler
Susan C. Honaker
(Took office February 1, 2011)
Charles N. Poe

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

There were 2,425 cases filed in Mercer County Circuit Court in 2011. Of those, 51.4 percent were civil cases, 29 percent were criminal cases, and 19.6 percent were juvenile cases. Court filings increased 23.1 percent compared to 2010. Mercer County comprises the Ninth Judicial Circuit.

During 2011, 1,627 new cases were filed in Mercer County Family Court. There were also 366 modification and 180 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 3.4 percent compared to 2010. Mercer County is in the Twelfth Family Court Circuit, which also includes McDowell County.

In 2011, there were 16,583 cases filed in Mercer County Magistrate Court, an increase of 11.2 percent from 2010. Of those, 55.1 percent were criminal cases, 21.6 percent were special proceedings, and 23.3 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,118,219
Family Court	8,871
Magistrate Court.....	451,511
Total.....	\$ 1,578,601
Court Security Fund Grant.....	\$ 8,794

There were 609 cases filed in Mineral County Circuit Court in 2011. Of those, 38.1 percent were civil cases, 43.2 percent were criminal cases, and 18.7 percent were juvenile cases. Court filings decreased 6.2 percent compared to 2010. Mineral County is part of the Twenty-First Judicial Circuit, which also includes Grant and Tucker Counties.

During 2011, 452 new cases were filed in Mineral County Family Court. There were also 103 modification and fifty-nine contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 7 percent compared to 2010. Mineral County is part of the Twenty-Third Family Court Circuit, which also includes Hampshire and Morgan Counties.

In 2011, there were 4,213 cases filed in Mineral County Magistrate Court, a decrease of 13.1 percent from 2010. Of those, 80.8 percent were criminal cases, 10.5 percent were special proceedings, and 8.7 percent were civil cases.

Circuit Judges

Lynn A. Nelson, Chief Judge
Philip B. Jordan

Family Court Judge

Glen R. Stotler
(Took office April 1, 2011)

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 2011

Circuit Court.....	\$ 987,794
Family Court.....	324,132
Magistrate Court.....	728,908
Total.....	\$ 2,040,834

Circuit Judge

Michael Thornsby, Chief Judge

Family Court Judge

Miki J. Thompson

Magistrates

Walter Eugene Crum

Pamela S. Newsome

Deloris D. "Dee" Sidebottom

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

There were 1,169 cases filed in Mingo County Circuit Court in 2011. Of those, 54.4 percent were civil cases, 29.2 percent were criminal cases, and 16.4 percent were juvenile cases. Court filings increased 16.2 percent compared to 2010. Mingo County comprises the Thirtieth Judicial Circuit.

During 2011, 1,085 new cases were filed in Mingo County Family Court. There were also 159 modification and 154 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 4.5 percent compared to 2010. The family court judge also conducted twenty-five marriages in the county in 2011. Mingo County makes up the Eighth Family Court Circuit.

In 2011, there were 5,553 cases filed in Mingo County Magistrate Court, an increase of 1.3 percent from 2010. Of those, 73.5 percent were criminal cases, 22.1 percent were special proceedings, and 4.4 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 2,814,458
Family Court	708,799
Magistrate Court.....	1,133,346
Total.....	\$ 4,656,603
Court Security Fund Grant.....	\$ 24,810

There were 2,014 cases filed in Monongalia County Circuit Court in 2011. Of those, 74.3 percent were civil cases, 18.2 percent were criminal cases, and 7.5 percent were juvenile cases. Court filings increased 4 percent compared to 2010. Monongalia County comprises the Seventeenth Judicial Circuit.

During 2011, 1,259 new cases were filed in Monongalia County Family Court. There were also 265 modification and 153 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 4.3 percent compared to 2010. A family court judge also conducted forty-three marriages in the county in 2011. Monongalia County is part of the Twentieth Family Court Circuit, which also includes Preston County.

In 2011, there were 15,139 cases filed in Monongalia County Magistrate Court, an increase of 13.1 percent from 2010. Of those, 72.8 percent were criminal cases, 10.1 percent were special proceedings, and 17.1 percent were civil cases.

Circuit Judges

Russell M. Clawges, Jr. Chief Judge
Phillip Gaujot
Susan B. Tucker

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

Chief Probation Officer

Phyllis Stewart-Brown

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 2011

Circuit Court.....	\$ 568,583
Family Court.....	29,543
Magistrate Court.....	395,817
Total.....	\$ 993,944
Court Security Fund Grant.....	\$12,556

Circuit Judge

Robert A. Irons, Chief Judge

Family Court Judge

David M. Sanders

Magistrates

Nancy P. Crews

Kevin L. Miller

Circuit Clerk

Leta Gullette

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

There were 258 cases filed in Monroe County Circuit Court in 2011. Of those, 57 percent were civil cases, 32.2 percent were criminal cases, and 10.8 percent were juvenile cases. Court filings increased 22.9 percent compared to 2010. Monroe County is part of the Thirty-First Judicial Circuit, which also includes Summers County.

During 2011, 326 new cases were filed in Monroe County Family Court. There were also thirty-six modification and thirty-seven contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 8.3 percent compared to 2010. Monroe County is part of the Fifteenth Family Court Circuit, which also includes Greenbrier County.

In 2011, there were 1,290 cases filed in Monroe County Magistrate Court, a decrease of 11.5 percent from 2010. Of the 2011 filings, 67.8 percent were criminal cases, 20.6 percent were special proceedings, and 11.6 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 352,295
Family Court.....	302,190
Magistrate Court.....	460,785
Total.....	\$1,115,270
Court Security Fund Grant.....	\$ 32,919
Courthouse Facilities Improvement Authority Grant (Rebuilding).....	\$ 80,000

There were 376 cases filed in Morgan County Circuit Court in 2011. Of those, 62 percent were civil cases, 22.9 percent were criminal cases, and 15.1 percent were juvenile cases. Court filings increased 2.2 percent compared to 2010. Morgan County is part of the Twenty-Third Judicial Circuit, which also includes Berkeley and Jefferson Counties.

During 2011, 237 new cases were filed in Morgan County Family Court. There were also fifty-three modification and forty-three contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 45.4 percent compared to 2010. Morgan County is part of the Twenty-Third Family Court Circuit, which also includes Hampshire and Mineral Counties.

In 2011, there were 3,154 cases filed in Morgan County Magistrate Court, an increase of 6.1 percent from 2010. Of those, 69.9 percent were criminal cases, 8.7 percent were special proceedings, and 21.4 percent were civil cases.

Circuit Judges

David H. Sanders, Chief Judge
Gina M. Groh
Gray Silver, III
Christopher C. Wilkes
John C. Yoder

Family Court Judge

Glen R. Stotler
(Took office April 1, 2011)

Magistrates

Kermit M. Ambrose
Gregory L. Miller

Circuit Clerk

Kimberly J. Jackson

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



Nicholas County

Court Expenditures for 2011

Circuit Court.....	\$ 1,108,640
Family Court.....	302,305
Magistrate Court.....	718,456
Total.....	\$ 2,129,401

Circuit Judge

Gary L. Johnson, Chief Judge

Family Court Judge

Donald K. Bischoff

Magistrates

Michael E. Cooper
John D. Morton, Jr.
Doren W. Plummer

Circuit Clerk

Debbie Facemire

Magistrate Clerk

Loriene L. Green

Chief Probation Officer

Roger Beverage

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

There were 658 cases filed in Nicholas County Circuit Court in 2011. Of those, 47 percent were civil cases, 22 percent were criminal cases, and 31 percent were juvenile cases. Court filings decreased 4.6 percent compared to 2010. Nicholas County comprises the Twenty-Eighth Judicial Circuit.

During 2011, 674 new cases were filed in Nicholas County Family Court. There were also 146 modification and ninety contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 0.1 percent compared to 2010. The family court judge also conducted thirty-seven marriages in the county in 2011. Nicholas County is part of the Sixteenth Family Court Circuit, which also includes Clay County.

In 2011, there were 5,545 cases filed in Nicholas County Magistrate Court, a decrease of 3.2 percent from 2010. Of those, 72.4 percent were criminal cases, 18.5 percent were special proceedings, and 9.1 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,520,252
Family Court.....	730,453
Magistrate Court.....	1,008,156
Total.....	\$ 3,258,860

There were 1,352 cases filed in Ohio County Circuit Court in 2011. Of those, 80.6 percent were civil cases, 10.7 percent were criminal cases, and 8.7 percent were juvenile cases. Court filings decreased 3.6 percent compared to 2010. Ohio County is part of the First Judicial Circuit, which also includes Brooke and Hancock Counties.

During 2011, 658 new cases were filed in Ohio County Family Court. There were also seventy-seven modification and ninety-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 2.9 percent compared to 2010. A family court judge also conducted eight marriages in the county in 2011. Ohio County is part of the First Family Court Circuit, which also includes Brooke and Hancock Counties.

In 2011, there were 8,858 cases filed in Ohio County Magistrate Court, an increase of 15.2 percent from 2010. Of those, 79.6 percent were criminal cases, 9.6 percent were special proceedings, and 10.8 percent were civil cases.



Circuit Judges

Ronald E. Wilson, Chief Judge
Martin J. Gaughan
James P. Mazzone
Arthur M. Recht

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

James Lee

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

Pendleton County

Court Expenditures for 2011

Circuit Court.....	\$ 211,560
Family Court.....	3,555
Magistrate Court.....	420,524
Total.....	\$ 635,639

Circuit Judge

Donald H. Cookman, Chief Judge
Charles E. Parsons

Family Court Judge

Amanda Hatfield See

Magistrates

Andrew M. Hinkle
Leland E. Propst

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

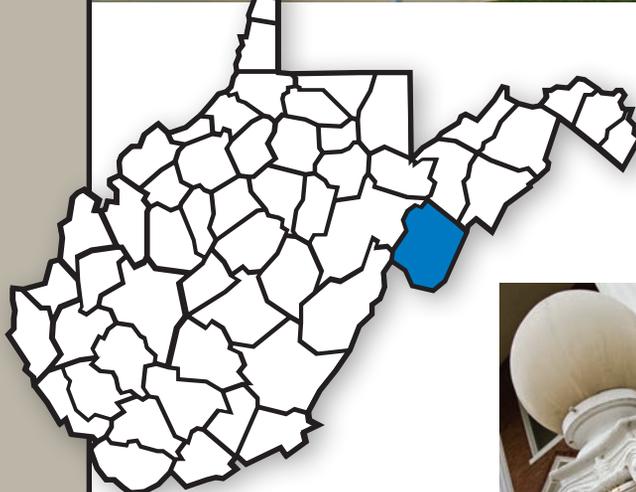
Pendleton County Magistrate Court

100 South Main Street
Franklin, WV 26807
304-358-2343 or 2344

There were ninety-four cases filed in Pendleton County Circuit Court in 2011. Of those, 66 percent were civil cases, 7.4 percent were criminal cases, and 26.6 percent were juvenile cases. Court filings decreased 3.1 percent compared to 2010. Pendleton County is part of the Twenty-Second Judicial Circuit, which also includes Hampshire and Hardy Counties.

During 2011, seventy-two new cases were filed in Pendleton County Family Court. There were also twenty modification and eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 20 percent compared to 2010. The family court judge also conducted one marriage in the county in 2011. Pendleton County is part of the Twenty-Fifth Family Court Circuit, which also includes Grant and Hardy Counties.

In 2011, there were 940 cases filed in Pendleton County Magistrate Court, an increase of 8 percent from 2010. Of those, 83.4 percent were criminal cases, 7.3 percent were special proceedings, and 9.3 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$497,091
Family Court	3,539
Magistrate Court.....	411,327
Total.....	\$ 911,956
Courthouse Facilities Improvement Authority Grant (Repair Roof on Old Jail).....	\$ 24,000

There were 125 cases filed in Pleasants County Circuit Court in 2011. Of those, 75.2 percent were civil cases, 20 percent were criminal cases, and 4.8 percent were juvenile cases. Court filings decreased 8.1 percent compared to 2010. Pleasants County is part of the Third Judicial Circuit, which also includes Doddridge and Ritchie Counties.

During 2011, 120 new cases were filed in Pleasants County Family Court. There were also nineteen modification and sixteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 6.2 percent compared to 2010. Pleasants County is part of the Third Family Court Circuit, which also includes Wood County.

In 2011, there were 1,122 cases filed in Pleasants County Magistrate Court, a decrease of 4 percent from 2010. Of those, 82.5 percent were criminal cases, 10.1 percent were special proceedings, and 7.4 percent were civil cases.

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

Peggy Cline

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



Pocahontas County

Court Expenditures for 2011

Circuit Court.....	\$ 39,783
Family Court.....	22,796
Magistrate Court.....	401,842
Total.....	\$ 464,421

Circuit Judges

Joseph C. Pomponio, Jr.,
Chief Judge
James J. Rowe

Family Court Judge

Jeffrey L. Hall

Magistrates

Kathy L. Beverage
Janet L. Kershner-Vanover

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

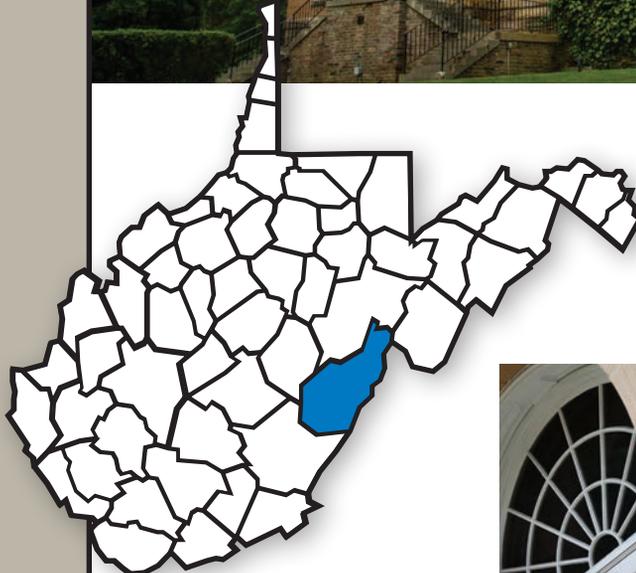
Pocahontas County Magistrate Court

900 Tenth Avenue
Marlinton, WV 24954
304-799-6603

There were 264 cases filed in Pocahontas County Circuit Court in 2011. Of those, 50 percent were civil cases, 35.6 percent were criminal cases, and 14.4 percent were juvenile cases. Court filings increased 20 percent compared to 2010. Pocahontas County is part of the Eleventh Judicial Circuit, which also includes Greenbrier County.

During 2011, 157 new cases were filed in Pocahontas County Family Court. There were also forty-six modification and fifty-one contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 22.7 percent compared to 2010. The family court judge also conducted one marriage in the county in 2011. Pocahontas County is part of the Twenty-Seventh Family Court Circuit, which also includes Webster County.

In 2011, there were 1,608 cases filed in Pocahontas County Magistrate Court, a decrease of 10 percent from 2010. Of those, 69.8 percent were criminal cases, 17.2 percent were special proceedings, and 13 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 995,069
Family Court	40,824
Magistrate Court.....	693,658
Total.....	\$1,729,551
Court Security Fund Grant.....	\$ 6,757

Preston County

There were 674 cases filed in Preston County Circuit Court in 2011. Of those, 57 percent were civil cases, 33.5 percent were criminal cases, and 9.5 percent were juvenile cases. Court filings increased 1.8 percent compared to 2010. Preston County comprises the Eighteenth Judicial Circuit.

During 2011, 573 new cases were filed in Preston County Family Court. There were also 112 modification and eighty-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 2.9 percent compared to 2010. A family court judge also conducted thirty-four marriages in the county in 2011. Preston County is part of the Twentieth Family Court Circuit, which also includes Monongalia County.

In 2011, there were 4,729 cases filed in Preston County Magistrate Court, an increase of 11.8 percent from 2010. Of those, 70.1 percent were criminal cases, 10.6 percent were special proceedings, and 19.3 percent were civil cases.

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



Putnam County

Court Expenditures for 2011

Circuit Court.....	\$ 1,798,407
Family Court.....	347,848
Magistrate Court.....	758,867
Total.....	\$ 2,905,122
Court Security Fund Grant.....	\$ 11,623
Courthouse Facilities Improvement Authority Grant (Window Replacement – Phase One).....	\$ 80,000

Circuit Judges

Phillip M. Stowers, Chief Judge
O. C. Spaulding

Family Court Judge

William M. Watkins, III

Magistrates

Kim M. Blair
Elizabeth K. Brown
Linda J. Hunt

Circuit Clerk

Ronnie Matthews

Magistrate Clerk

Darry M. Casto

Chief Probation Officer

Brenda Shrader

Putnam County Circuit Court

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

There were 1,066 cases filed in Putnam County Circuit Court in 2011. Of those, 57.7 percent were civil cases, 26.4 percent were criminal cases, and 15.9 percent were juvenile cases. Court filings decreased 0.9 percent compared to 2010. Putnam County comprises the Twenty-Ninth Judicial Circuit.

During 2011, 944 new cases were filed in Putnam County Family Court. There were also 150 modification and 215 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 0.6 percent compared to 2010. Putnam County makes up the Twenty-Sixth Family Court Circuit.

In 2011, there were 6,773 cases filed in Putnam County Magistrate Court, a decrease of 3.7 percent from 2010. Of those, 73.4 percent were criminal cases, 15.6 percent were special proceedings, and 11 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 3,770,277
Family Court.....	925,610
Magistrate Court.....	1,277,943
Total.....	\$ 5,973,830

There were 2,412 cases filed in Raleigh County Circuit Court in 2011. Of those, 65.5 percent were civil cases, 14.1 percent were criminal cases, and 20.4 percent were juvenile cases. Court filings decreased 1 percent compared to 2010. Raleigh County comprises the Tenth Judicial Circuit.

During 2011, 1,700 new cases were filed in Raleigh County Family Court. There were also 358 modification and 295 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 1.3 percent compared to 2010. Family court judges also conducted seventy-four marriages in the county in 2011. Raleigh County is in the Thirteenth Family Court Circuit, which also includes Summers and Wyoming Counties.

In 2011, there were 19,095 cases filed in Raleigh County Magistrate Court, an increase of 6.5 percent from 2010. Of those, 76 percent were criminal cases, 16.8 percent were special proceedings, and 7.2 percent were civil cases.



Circuit Judges

Robert A. Burnside, Jr., Chief Judge
John A. Hutchison
H. L. Kirkpatrick III

Family Court Judges

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

Magistrates

Charles R. Humphrey
Mary H. Jennings
Richard D. Jones
Stephen D. Massie
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 Courthouse

215 Main Street
Beckley, WV 25801
304-255-9135

Raleigh County Magistrate Court

115 West Prince Street
Beckley, WV 25801
304-255-9197

Randolph County

Court Expenditures for 2011

Circuit Court.....	\$ 1,029,884
Family Court.....	341,634
Magistrate Court.....	699,677
Total.....	\$ 2,071,194
Court Security Fund Grant	\$ 24,092
Courthouse Facilities Improvement Authority Grant (Foundation Drain System)	\$ 48,640

Circuit Judge

Jaymie Godwin Wilfong,
Chief Judge

Family Court Judge

Michelle 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

There were 538 cases filed in Randolph County Circuit Court in 2011. Of those, 67.8 percent were civil cases, 17.1 percent were criminal cases, and 15.1 percent were juvenile cases. Court filings increased 4.9 percent compared to 2010. Randolph County comprises the Twentieth Judicial Circuit.

During 2011, 672 new cases were filed in Randolph County Family Court. There were also 162 modification and 108 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 12 percent compared to 2010. The family court judge also conducted seven marriages in the county in 2011. Randolph County is in the Twenty-Second Family Court Circuit, which also includes Tucker County.

In 2011, there were 7,189 cases filed in Randolph County Magistrate Court, an increase of 19 percent from 2010. Of those, 76.8 percent were criminal cases, 8.5 percent were special proceedings, and 14.7 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 227,792
Family Court.....	5,231
Magistrate Court.....	413,874
Total.....	\$ 646,897
Court Security Fund Grant.....	\$ 63,102

There were 182 cases filed in Ritchie County Circuit Court in 2011. Of those, 57.1 percent were civil cases, 25.8 percent were criminal cases, and 17.1 percent were juvenile cases. Court filings decreased 15 percent compared to 2010. Ritchie County is part of the Third Judicial Circuit, which also includes Doddridge and Pleasants Counties.

During 2011, 164 new cases were filed in Ritchie County Family Court. There were also forty modification and thirty-seven contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 12.8 percent compared to 2010. Ritchie County is part of the Fourth Family Court Circuit, which also includes Calhoun, Gilmer, and Roane Counties.

In 2011, there were 2,264 cases filed in Ritchie County Magistrate Court, an increase of 3.2 percent from 2010. Of those, 86.9 percent were criminal cases, 7.9 percent were special proceedings, and 5.2 percent were civil cases.

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

Peggy Cline

Ritchie County Courthouse

115 East Main Street
Harrisville, WV 26362
304-643-2164 ext. 229

Ritchie County Magistrate Court

130 North Court Street
Harrisville, WV 26362
304-643-4409



Roane County

Court Expenditures for 2011

Circuit Court.....	\$ 257,784
Family Court.....	299,408
Magistrate Court.....	483,670
Total.....	\$1,040,863
Court Security Fund Grant.....	\$74,899
Courthouse Facilities Improvement Authority Grant (Fire Alarm System).....	\$19,800

Circuit Judges

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

Family Court Judge

Larry S. Whited

Magistrates

Jason D. Bennett
Russell W. Goodwin

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

There were 302 cases filed in Roane County Circuit Court in 2011. Of those, 59.9 percent were civil cases, 29.8 percent were criminal cases, and 10.3 percent were juvenile cases. Court filings increased 4.9 percent compared to 2010. Roane County is part of the Fifth Judicial Circuit, which also includes Calhoun, Jackson, and Mason Counties.

During 2011, 363 new cases were filed in Roane County Family Court. There were also ninety-two modification and seventy-six contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 13.4 percent compared to 2010. The family court judge also conducted eight marriages in the county in 2011. Roane County is part of the Fourth Family Court Circuit, which also includes Calhoun, Gilmer, and Ritchie Counties.

In 2011, there were 2,813 cases filed in Roane County Magistrate Court, a decrease of 0.7 percent from 2010. Of those, 72.4 percent were criminal cases, 20.4 percent were special proceedings, and 7.2 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$361,327
Family Court.....	51,708
Magistrate Court.....	380,350
Total.....	\$793,385

There were 236 cases filed in Summers County Circuit Court in 2011. Of those, 40.7 percent were civil cases, 36 percent were criminal cases, and 23.3 percent were juvenile cases. Court filings decreased 14.2 percent compared to 2010. Summers County is part of the Thirty-First Judicial Circuit, which also includes Monroe County.

During 2011, 211 new cases were filed in Summers County Family Court. There were also fifty-eight modification and forty-seven contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 12.1 percent compared to 2010. A family court judge also conducted two marriages in the county in 2011. Summers County is part of the Thirteenth Family Court Circuit, which also includes Raleigh and Wyoming Counties.

In 2011, there were 1,448 cases filed in Summers County Magistrate Court, a decrease of 21.6 percent from 2010. Of those, 78.5 percent were criminal cases, 14 percent were special proceedings, and 7.5 percent were civil cases.



Summers County

Circuit Judge

Robert A. Irons, Chief Judge

Family Court Judges

K. Bruce Lazenby

H. Suzanne McGraw

Louise G. Staton

Magistrates

Jack K. Hellesms

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

Taylor County

Court Expenditures for 2011

Circuit Court.....	\$ 940,911
Family Court	15,764
Magistrate Court.....	425,672
Total.....	\$1,382,346
Court Security Fund Grant.....	\$46,230
Courthouse Facilities Improvement Authority Grant (HVAC and Asbestos Abatement)	\$75,050

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

There were 414 cases filed in Taylor County Circuit Court in 2011. Of those, 42.8 percent were civil cases, 33.3 percent were criminal cases, and 23.9 percent were juvenile cases. Court filings increased 13.1 percent compared to 2010. Taylor County is part of the Nineteenth Judicial Circuit, which also includes Barbour County.

During 2011, 212 new cases were filed in Taylor County Family Court. There were also eighty-five modification and forty-five contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 22.1 percent compared to 2010. The family court judge also conducted ten marriages in the county in 2011. Taylor County is part of the Twenty-First Family Court Circuit, which also includes Barbour County.

In 2011, there were 1,782 cases filed in Taylor County Magistrate Court, a decrease of 15.9 percent from 2010. Of those, 68.2 percent were criminal cases, 12.9 percent were special proceedings, and 18.9 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$353,718
Family Court.....	3,129
Magistrate Court.....	395,610
Total.....	\$752,457

Courthouse Facilities Improvement Authority Grant
(Exterior Brick Cleaning and Replacement) \$ 80,000

There were 111 cases filed in Tucker County Circuit Court in 2011. Of those, 68.5 percent were civil cases, 12.6 percent were criminal cases, and 18.9 percent were juvenile cases. Court filings decreased 10.5 percent compared to 2010. Tucker County is part of the Twenty-First Judicial Circuit, which also includes Grant and Mineral Counties.

During 2011, ninety-two new cases were filed in Tucker County Family Court. There were also thirty-four modification and twenty-two contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 1.1 percent compared to 2010. Tucker County is part of the Twenty-Second Family Court Circuit, which also includes Randolph County.

In 2011, there were 1,436 cases filed in Tucker County Magistrate Court, an increase of 20.2 percent from 2010. Of those, 81.1 percent were criminal cases, 3.2 percent were special proceedings, and 15.7 percent were civil cases.

Circuit Judges

Lynn A. Nelson, Chief Judge
Philip B. Jordan

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

215 First Street, Suite 2
Parsons, WV 26287
304-478-2606

Tucker County Magistrate Court

201 Walnut Street
Parsons, WV 26287
304-478-2665



Tyler County

Court Expenditures for 2011

Circuit Court.....	\$ 53,667
Family Court.....	1,967
Magistrate Court.....	416,981
Total.....	\$ 472,615

Circuit Judges

David W. Hummel, Jr., Chief Judge
Mark A. Karl

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

There were 241 cases filed in Tyler County Circuit Court in 2011. Of those, 46.5 percent were civil cases, 32.8 percent were criminal cases, and 20.7 percent were juvenile cases. Court filings increased 54.5 percent compared to 2010. Tyler County is part of the Second Judicial Circuit, which also includes Marshall and Wetzel Counties.

During 2011, 170 new cases were filed in Tyler County Family Court. There were also twenty-six modification and fifteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 7.6 percent compared to 2010. The family court judge also conducted three marriages in the county in 2011. Tyler County is part of the Second Family Court Circuit, which also includes Marshall and Wetzel Counties.

In 2011, there were 1,007 cases filed in Tyler County Magistrate Court, a decrease of 5.4 percent from 2010. Of those, 72.5 percent were criminal cases, 15.2 percent were special proceedings, and 12.3 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 897,395
Family Court.....	30,635
Magistrate Court.....	543,923
Total.....	\$ 1,471,953

There were 481 cases filed in Upshur County Circuit Court in 2011. Of those, 54.3 percent were civil cases, 27.2 percent were criminal cases, and 18.5 percent were juvenile cases. Court filings increased 3.2 percent compared to 2010. Upshur County is part of the Twenty-Sixth Judicial Circuit, which also includes Lewis County.

During 2011, 416 new cases were filed in Upshur County Family Court. There were also fifty-three modification and twenty-nine contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 12.7 percent compared to 2010. The family court judge also conducted three marriages in the county in 2011. Upshur County is part of the Seventeenth Family Court Circuit, which also includes Braxton and Lewis Counties.

In 2011, there were 5,225 cases filed in Upshur County Magistrate Court, a decrease of 1 percent from 2010. Of those, 74 percent were criminal cases, 6.8 percent were special proceedings, and 19.2 percent were civil cases.

Circuit Judge

Thomas H. Keadle, Chief Judge

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

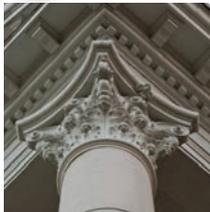
Serena Peterson

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



Wayne County

Court Expenditures for 2011

Circuit Court.....	\$ 1,874,901
Family Court.....	345,739
Magistrate Court.....	706,626
Total.....	\$ 2,927,266

Courthouse Facilities Improvement Authority Grant (Mold Removal).....	\$ 80,000
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Circuit Judges

Darrell Pratt, Chief Judge
James H. Young, Jr.

Family Court Judge

R. Stephen Lewis

Magistrates

David Ferguson
Teddy E. Mays
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

There were 1,093 cases filed in Wayne County Circuit Court in 2011. Of those, 51.9 percent were civil cases, 14.5 percent were criminal cases, and 33.6 percent were juvenile cases. Court filings increased 13.1 percent compared to 2010. Wayne County comprises the Twenty-Fourth Judicial Circuit.

During 2011, 641 new cases were filed in Wayne County Family Court. There were also eighty-nine modification and fifty contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 4.3 percent compared to 2010. Wayne County makes up the Seventh Family Court Circuit.

In 2011, there were 4,963 cases filed in Wayne County Magistrate Court, a decrease of 8.9 percent from 2010. Of those, 72.5 percent were criminal cases, 16 percent were special proceedings, and 11.5 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 699,632
Family Court.....	293,247
Magistrate Court.....	380,116
Total.....	\$ 1,372,996
Court Security Fund Grant.....	\$ 30,535
Courthouse Facilities Improvement Authority Grant (Fire Alarm System).....	\$ 50,611

There were 211 cases filed in Webster County Circuit Court in 2011. Of those, 44.1 percent were civil cases, 22.7 were criminal cases, and 33.2 percent were juvenile cases. Court filings decreased 11 percent compared to 2010. Webster County is part of the Fourteenth Judicial Circuit, which also includes Braxton, Clay, and Gilmer Counties.

During 2011, 180 new cases were filed in Webster County Family Court. There were also sixty-one modification and sixty-eight contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings decreased 11.3 percent compared to 2010. The family court judge also conducted one marriage in the county in 2011. Webster County is part of the Twenty-Seventh Family Court Circuit, which also includes Pocahontas County.

In 2011, there were 1,282 cases filed in Webster County Magistrate Court, a decrease of 2.4 percent from 2010. Of those, 68.4 percent were criminal cases, 24.2 percent were special proceedings, and 7.4 percent were civil cases.

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



Wetzel County

Court Expenditures for 2011

Circuit Court.....	\$ 346,632
Family Court.....	259,604
Magistrate Court.....	443,170
Total.....	\$ 1,049,405
Courthouse Facilities Improvement Authority Grant (Exterior Walls Restoration)	
	\$ 80,000

Circuit Judges

David W. Hummel, Jr., Chief Judge
Mark A. Karl

Family Court Judge

Robert C. Hicks

Magistrates

Judith P. Goontz
Thomas J. Shepherd

Circuit Clerk

Sharon Dulaney

Magistrate Clerk

Sharon A. Manion

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

There were 413 cases filed in Wetzel County Circuit Court in 2011. Of those, 76.3 percent were civil cases, 13 percent were criminal cases, and 10.7 percent were juvenile cases. Court filings increased 1.7 percent compared to 2010. Wetzel County is part of the Second Judicial Circuit, which also includes Marshall and Tyler Counties.

During 2011, 307 new cases were filed in Wetzel County Family Court. There were also sixty-two modification and seventeen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 22.3 percent compared to 2010. The family court judge also conducted nine marriages in the county in 2011. Wetzel County is part of the Second Family Court Circuit, which also includes Marshall and Tyler Counties.

In 2011, there were 1,501 cases filed in Wetzel County Magistrate Court, a decrease of 18.9 percent from 2010. Of those, 73 percent were criminal cases, 15.3 percent were special proceedings, and 11.7 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 26,326
Family Court.....	11,565
Magistrate Court.....	398,689
Total.....	\$436,579
Court Security Fund Grant.....	\$ 20,500
Courthouse Facilities Improvement Authority Grant (Fire Safety and Security)	\$ 13,445

There were eighty-nine cases filed in Wirt County Circuit Court in 2011. Of those, 57.3 percent were civil cases, 28.1 percent were criminal cases, and 14.6 percent were juvenile cases. Court filings decreased 5.3 percent compared to 2010. Wirt County is part of the Fourth Judicial Circuit, which also includes Wood County.

During 2011, 134 new cases were filed in Wirt County Family Court. There were also eleven modification and fourteen contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 50.6 percent compared to 2010. Wirt County is part of the Fifth Family Court Circuit, which also includes Jackson and Mason Counties.

In 2011, there were 867 cases filed in Wirt County Magistrate Court, an increase of 8.1 percent from 2010. Of those, 84.8 percent were criminal cases, 8.9 percent were special proceedings, and 6.3 percent were civil cases.

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



Wood County

Court Expenditures for 2011

Circuit Court.....	\$ 3,446,675
Family Court	745,895
Magistrate Court.....	1,297,781
Total.....	\$ 5,490,351
Courthouse Facilities Improvement Authority Grant (Steps Restoration)	
	\$ 62,400

Circuit Judges

J. D. Beane, Chief Judge
Jeffrey B. Reed
Robert A. Waters

Family Court Judges

Brian C. Dempster
C. Darren Tallman

Magistrates

Donna Jackson
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

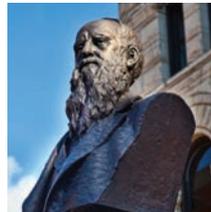
Wood County Circuit Court
Wood County Judicial Building
2 Government Square
Room 131
Parkersburg, WV 26101
304-424-1700

**Wood County
Magistrate Court**
208 Avery Street
Parkersburg, WV 26101
304-422-3444

There were 2,152 cases filed in Wood County Circuit Court in 2011. Of those, 72.1 percent were civil cases, 13.2 percent were criminal cases, and 14.7 percent were juvenile cases. Court filings increased 3.8 percent compared to 2010. Wood County is part of the Fourth Judicial Circuit, which also includes Wirt County.

During 2011, 2,123 new cases were filed in Wood County Family Court. There were also 354 modification and 206 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 8.5 percent compared to 2010. A family court judge also conducted five marriages in the county in 2011. Wood County is part of the Third Family Court Circuit, which also includes Pleasants County.

In 2011, there were 12,067 cases filed in Wood County Magistrate Court, a decrease of 4.6 percent from 2010. Of those, 70.7 percent were criminal cases, 14.3 percent were special proceedings, and 15 percent were civil cases.



Court Expenditures for 2011

Circuit Court.....	\$ 1,009,046
Family Court	50,268
Magistrate Court.....	783,308
Total.....	\$ 1,842,622
Courthouse Facilities Improvement Authority Grant (Windows and General Exterior).....\$ 80,000	

There were 512 cases filed in Wyoming County Circuit Court in 2011. Of those, 50.6 percent were civil cases, 25 percent were criminal cases, and 24.4 percent were juvenile cases. Court filings decreased 4.1 percent compared to 2010. Wyoming County comprises the Twenty-Seventh Judicial Circuit.

During 2011, 751 new cases were filed in Wyoming County Family Court. There were also 138 modification and 120 contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Court filings increased 2.3 percent compared to 2010. Family court judges also conducted five marriages in the county in 2011. Wyoming County is part of the Thirteenth Family Court Circuit, which also includes Raleigh and Summers Counties.

In 2011, there were 4,352 cases filed in Wyoming County Magistrate Court, an increase of 45.5 percent from 2010. Of those, 69.2 percent were criminal cases, 26 percent were special proceedings, and 4.8 percent were civil cases.

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

Chief Probation Officer

Deborah Wiles

Wyoming County Courthouse

24 Main Avenue
Pineville, WV 24874
304-732-8000

Wyoming County Magistrate Court

100 Bank Street
Pineville, WV 24874
304-732-8000 ext. 218



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