



Supreme Court of Appeals State of West Virginia

News

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Justices Attend Family Drug Treatment Court Opening in Roane County

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SPENCER, W.Va. – In the 39 years since she left law school, cases involving drug addiction have gone from something she dealt with occasionally as an attorney to something that consumes her docket as a judge, said Fifth Judicial Circuit (Calhoun, Jackson, Mason, and Roane Counties) Judge Anita Harold Ashley.

“Nearly every case I have involves drugs,” Judge Ashley said at the opening of the new Family Drug Treatment Court in Roane County on Friday, January 31.

Addiction “has a huge impact on our community and has a huge impact in our school system,” said Roane County Prosecutor Joshua Downey. The courtroom is often the place where families break apart because abusing and neglectful parents lose custody of children or convicted criminals are sent to prison and leave their children behind.

“Some of the happiest days we have are when we complete an abuse and neglect case and reunite a family,” Prosecutor Downey said. Instead of drug addiction breaking apart families, the new treatment court should help reunite families. “This is a really good day.”

Family Drug Treatment Courts are designed to protect children while helping parents who have been adjudicated in abuse and/or neglect cases overcome substance abuse disorders before they permanently lose custody of their children. The hope is that the Family Drug Treatment Court process will ease the surging demand for foster homes. The state of West Virginia had more than 7,000 children under the care, custody, and control of the state in 2018, according to data from the West Virginia Department of Health and Human Resources.

Chief Justice Tim Armstead praised Judge Ashley’s tenacity in seeking to be one of the pilot locations for a Family Drug Treatment Court. The other pilots are in Boone, Ohio and Randolph Counties and a fifth will open in Nicholas County in February.

A child’s safety is always the most important goal for a judge, and it is not always possible to return children to the custody of their parents, Chief Justice Armstead said. But when it is possible – if adults get the help they need to overcome their addiction and provide, safe, healthy and loving homes– courts should try to reunite that family.

“We hope that through the experiences of Roane County and the other pilot counties we can expand Family Drug Treatment Courts throughout the rest of the state,” he said.

Chief Justice Armstead was accompanied at the event by Justice Beth Walker and Justice John Hutchison, Probation Services Director Stephanie Bond, State Drug Court Coordinator Nicholas Leftwich and State Family Drug Treatment Court Coordinator Chau-tle’ Haught.

“Thanks for inviting us to be a part of this. We look forward to coming back and seeing a celebration of these families restored,” Chief Justice Armstead said.

To succeed, Family Drug Treatment Courts need local support, and such support was apparent in Roane County. County commissioners, the county assessor, county clerk, circuit clerk and several sheriff’s deputies attended the opening ceremony along with Spencer’s Mayor and representatives of Governor Jim Justice, Delegate Rick Atkinson, Roane County Board of Education, U.S. Rep. Alex Mooney, the West Virginia Department of Health and Human Resources, Roane General Hospital and Roane County Family Health Care.

The Legislature in 2019 permitted the Supreme Court of Appeals of West Virginia to create and implement a Family Drug Treatment Court pilot program. The Supreme Court provides oversight, technical assistance, and training. The Court established a State Family Drug Treatment Court Advisory Committee, as called for in Code, and local family drug treatment court advisory committees.

The DHHR’s Office of Drug Control Policy provided the grant funding for the first year to implement the Family Drug Treatment Courts in Ohio, Randolph, Roane and Nicholas Counties. Additional funding was secured with a federal grant from the Office of Juvenile Justice and Delinquency Prevention to implement an additional court in Boone County, which was the first to open.

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