



Supreme Court of Appeals State of West Virginia

News

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Supreme Court Issues Protocol on Coronavirus

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CHARLESTON. W.Va. – Late Thursday, the Supreme Court of Appeals of West Virginia issued a protocol addressing concerns about the potential spread of coronavirus (COVID-19) to ensure the court system remains open and functions as normally as possible.

“We want to keep courts open, but we want to do all we can to keep people safe,” said Chief Justice Tim Armstead. “In addition to the protocol for employees, the Court also is issuing guidance intended to ensure the safety of litigants and the public.”

The protocol encourages judicial officers to postpone proceedings that are not time sensitive, use available technology such as conference calls and video conferencing to minimize person-to-person contact, and schedule dockets to limit the number of people gathering in large numbers. The Court is also sending notices to the State Bar and notices that will be posted in courthouses. These notices will give directions to parties, attorneys, witnesses, jurors and the public.

For judicial employees, special sick leave will be provided under certain qualifying conditions. Out-of-state travel is temporarily canceled except in special circumstances and must be approved by the Administrative Director.

The Court also has postponed two out-of-Charleston Argument Dockets this spring. The Court had planned to hear cases in front of high school students in Braxton County on March 18 and at West Virginia University College of Law on March 25. The Legal Arguments for West Virginia Students (LAWS) docket will be rescheduled in Braxton County in the fall.

“This plan was carefully crafted based on guidance received from federal and state health officials, information obtained from the National Center for State Courts, and examples found in other jurisdictions. It is intended to balance health and safety concerns with the need to continue to provide an essential service to the citizens of the state,” said a letter from Supreme Court Administrative Director Joe Armstrong that accompanied the protocol.

“We will continue to closely monitor the circumstances and will update and/or modify this plan as needed. Likewise, depending on future events, it may be necessary to take additional steps limited to a certain county, circuit, or region,” the letter said.

Any question related to a specific cases or court proceedings should be addressed with the presiding judicial officer.

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