

FROM THE CHIEF

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A CHANGING OF THE GUARD

The West Virginia Judiciary will look significantly different in 2025 than it did in 2024. There will be new faces on many benches across the state and in leadership roles in Charleston. Judges and magistrates frequently change following judicial elections, but 2025 promises to be the beginning of a new era for our Court system.

The West Virginia Constitution authorizes the Legislature to create circuits and family courts and allocate the number of judges in each circuit. Likewise, the Legislature has the authority to determine the allocation of magistrates in each county. In 2023, the Legislature adopted HB 3332 adding a net of five new circuit judges, one new family court judge and 10 new magistrates. It also redrew several judicial circuits and one family court circuit.

Beginning on Jan. 1, 2025, there

will be 80 circuit judges in 30 circuits, compared to the current 75 judges in 31 circuits. There will be one additional family court judge, for a total of 48, and nine additional magistrates,¹ for a total of 169.

As a result of those changes and the May 2024 judicial elections,² approximately one-fourth of the circuit court judges and family court judges and about one-fifth of the magistrates will be new to their positions in 2025. The Court and the Administrative Office of the Courts has been busy this year preparing for the transition and supporting the approximately 70 new judicial officers across the state. Administrative Office staff and current judges have trained new judges and magistrates, helped them hire staff and provided furniture and equipment for them to use.

The Legislature redrew circuit boundaries across the state to

account for workloads and travel times for circuit judges,³ and most have new numerical designations:

The current Twenty-Third Judicial Circuit (Berkeley, Jefferson and Morgan counties) will become two circuits with a net gain of one circuit judge. Jefferson County will comprise the new Twenty-Eighth Judicial Circuit, which will have two circuit judges. Berkeley and Morgan counties will comprise the Twenty-Seventh Judicial Circuit, which will have five circuit judges. The Twenty-Fourth Family Court Circuit (Berkeley and Jefferson counties) will gain one family court judge, for a total of four. Berkeley County and Jefferson County will each gain one new magistrate, for a total of seven and four respectively.

Kanawha County will also gain one additional circuit judge, for a total of eight, and three additional magistrates, for a total of 13.

Four other circuits will each add an additional circuit judge: the new Third Judicial Circuit (Doddridge, Pleasants, Ritchie and Wirt counties), the new Sixteenth Judicial Circuit (Nicholas County), the new Twenty-Second Judicial Circuit (Preston and Tucker counties) and the new Twenty-Fourth Judicial Circuit (Randolph County). House Bill 3332 also created distinct division rules in certain multi-county circuits so that judges may not all reside in the same county.

Family court circuits will largely remain the same, with one exception: Braxton County was moved from the Seventeenth Family Court Circuit with Lewis and Upshur counties to the Twenty-Seventh Family Court Circuit with Pocahontas and Webster counties.

There were 37 new magistrates elected in May 2024. The statewide map (effective January 2025) is available at <https://www.courtsww.gov/sites/default/pubfiles/mnt/2024-10/2025MagistrateMap.pdf>. In 2026, the Administrative Office will conduct a caseload study on the number of magistrates needed in each county, and the Supreme Court will make a recommendation regarding magistrate allocation to the Legislature by Jan. 5, 2027, ahead of the next magistrate election in 2028.

With the retirement of several circuit judges, family court judges and magistrates, our judicial system will lose the benefit of their many years of experience and wisdom. I know that my colleagues on the Supreme Court and throughout our judicial system join me in thanking them for their years of public service in crucial positions that are often challenging and in wishing them the best as they begin their much-deserved retirement.

There will also be new leadership in the Administrative Office of the Courts with the retirement of current Administrative Director Joe Armstrong. Joe served the Court admirably as Administrative Director, helping to shepherd the court system through the COVID-19 crisis and the creation of the Intermediate Court of Appeals.

After serving several years as Deputy Administrative Director, Keith Hoover will become Administrative Director on Jan. 1, 2025.

We will also welcome a new Supreme Court Justice and a new judge on the Intermediate Court of Appeals (ICA) in January. Morgan County attorney Charles S. Trump IV was elected to replace retiring Justice John Hutchison, and Charleston attorney Ryan White was elected to replace retiring ICA Chief Judge Tom Scarr.

I have thoroughly enjoyed my time on the bench with Justice Hutchison. We both began our service on the Supreme Court in 2018, and his trial court experience has been invaluable to our Court. I will miss his expertise and friendship, and I look forward to welcoming Justice-Elect Trump.

It has been a pleasure to serve as Chief Justice during 2024 and to work with my fellow justices to prepare for the upcoming transition in 2025. I wish Justice William Wootton the best as he assumes the role of Chief Justice on Jan. 1, 2025. **WV**

Endnotes

1. Monongalia County was allocated an additional magistrate effective July 1, 2023.
2. Beginning with the judicial election in 2024, if a circuit judge candidate does not receive at least 30% of the votes in their division, “there shall be a runoff election at the subsequent general election between the two candidates who received the highest and next-highest number of votes.” W. Va. Code § 3-1-17(d). Except for one circuit judge race, all were decided during the May 2024 election.
3. The Supreme Court and the Legislature worked with the National Center for State Courts to conduct workload studies for circuit courts and family courts in 2022. In addition to determining the caseloads of each judicial officer, the studies assigned weighted measures to different types of judicial duties that take varying amounts of time and considered how much time it takes judicial officers in multi-county circuits to travel between courthouses. The circuit court study is available at <https://www.courtsww.gov/sites/default/pubfiles/mnt/2023-06/WVCircuitCourtJudgeWorkloadStudy2022FinalReport.pdf>. The family court study is available at <https://www.courtsww.gov/sites/default/pubfiles/mnt/2023-06/2022FamilyCourtJudgeWorkloadStudyReport.pdf>.