

STATE OF WEST VIRGINIA

SCA EFiled: Sep 30 2025  
11:11AM EDT  
Transaction ID 77199075

On September 30, 2025, at the Supreme Court of Appeals of West Virginia, the following order was made and entered:

**RE: APPROVAL OF AMENDMENTS TO RULE 1 OF THE RULES OF APPELLATE PROCEDURE, No. 24-319**

On October 16, 2024, the Court considered proposed amendments to Rule 1 of the Rules of Appellate Procedure. The Court has jurisdiction of court rules under Article VIII, §§ 1 and 3 of the West Virginia Constitution. The proposed amendments were published for a period of public comment on June 4, 2024. The Court received one public comment from Lonnie C. Simmons, Esq., DiPiero Simmons McGinley & Bastress, PLLC.

Upon consideration and review, the Court is of the opinion that the following amendments to Rule 1 of the Rules of Appellate Procedure should be adopted. The amendments are set forth below. Additions are indicated by underscoring, and deletions are indicated by strike-through.

**Rules of Appellate Procedure**

\* \* \*

**Rule 1. Scope of rules; jurisdiction; terms of court.**

(b) *Jurisdiction of the Intermediate Court of Appeals.* The Intermediate Court of Appeals has no original jurisdiction and no jurisdiction over: (1) judgments or final orders issued in criminal proceedings; (2) judgments or orders in Juvenile Proceedings; (3) judgments or final orders in child abuse and neglect proceedings; (4) orders of Commitment; (5) any proceedings of the Lawyer Disciplinary Board; (6) any proceedings of the Judicial Investigation Commission; (7) final decisions of the Public Service Commission; (8) interlocutory appeals unless otherwise specifically provided for under law; (9) certified questions; (10) ~~Extraordinary remedies and the appeal of any extraordinary remedy, including in habeas corpus~~ judgments or final orders issued in extraordinary remedy proceedings for a writ of prohibition, a writ of mandamus, a writ of quo warranto, a writ of certiorari, a writ of habeas corpus, a special receiver, an arrest in a civil case, or a personal

safety order; or (11) judgments or final orders issued by a circuit court upon its review of a family court judgment or final order in any domestic violence proceeding.

The Intermediate Court has appellate jurisdiction of the following: (1) Final judgments or orders of a circuit court in all civil cases, including but not limited to civil cases where there is a request for legal or equitable relief, entered after June 30, 2022. The Supreme Court may, on its own motion or by motion of a party, obtain jurisdiction over any civil case filed in the Intermediate Court; (2) Final judgments or orders of a family court, entered after June 30, 2022, except appeals from final judgments or orders issued by a family court in any domestic violence proceeding shall first be made to a circuit court; (3) Final judgments or orders of a circuit court concerning guardianship or conservatorship matters, entered after June 30, 2022; (4) Final judgments, orders, or decisions of an agency or an administrative law judge entered after June 30, 2022; (5) Final orders or decisions of the Health Care Authority issued prior to June 30, 2022, in a certificate of need review, but transferred to the jurisdiction of the Intermediate Court upon termination of the Office of Judges; (6) Final orders or decisions issued by the Office of Judges after June 30, 2022, and prior to its termination; and (7) Final orders or decisions of the Workers' Compensation Board of Review, entered after June 30, 2022.

\* \* \* \*

A True Copy

Attest: /s/ C. Casey Forbes  
Clerk of Court

