

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: ACCESS TO WITNESSES, RECORDS, DOCUMENTS, AND ANY OTHER EVIDENCE RELEVANT TO JUVENILE JUSTICE AND CHILD WELFARE

Whereas, the Juvenile Justice Commission (previously known as the "Adjudicated Juvenile Rehabilitation Review Commission") was established by the Supreme Court of Appeals to provide a complete and thorough review of West Virginia's juvenile justice facilities, as well as the rules, regulations, and procedures being utilized in these facilities, in order to ensure that children in custody are being educated and rehabilitated in a safe and protected manner; and

Whereas, the Juvenile Justice Commission subsequently expanded its review of West Virginia's juvenile justice facilities to include all facilities inside and outside the State of West Virginia where a juvenile may be placed outside of the home as a result of cases involving abuse and neglect, delinquency and status offender matters, which includes, but is not limited to all Division of Juvenile Services facilities, all Department of Health and Human Services (now Department of Human Services) facilities inside and outside the State of West Virginia, and all psychiatric hospitals in West Virginia that house juveniles; and

Whereas, by prior order entered October 3, 2014, the Director of the Juvenile Justice Commission and the Deputy Director of the Juvenile Justice Commission were named; and

Whereas, by prior order entered October 3, 2014, it was directed that the Director and the Deputy Director of the Juvenile Justice Commission have full and unimpeded access to witnesses, records, documents and any other evidence that is relevant to: 1) the Court-ordered review of the juvenile justice facilities in the State of West Virginia and those outside the State of West Virginia that house juveniles placed outside the State of West Virginia by a circuit court in the State of West Virginia; and 2) to aid circuit court judges in West Virginia in carrying out the judges' adjudicative responsibilities; and

Whereas, by order entered on June 14, 2015, the review by the Juvenile Justice Commission was expanded to include complete access to records and evidence related to the full scope of the juvenile justice process, including the cooperation and assistance from juvenile probation officers; and

Whereas, the Administrative Office of the Supreme Court of Appeals has subsequently been reorganized and the Juvenile Justice Commission is now managed within the Children's Services Division of the Administrative Office;

Whereas, Cindy Largent-Hill is the Director of the Children's Services Division;

Whereas, Brenda Hoylman is the Child Welfare/Juvenile Justice Manager with the Children's Services Division; and serves as the Division's Cross Systems Liaison.

Whereas, Timothy Harper is the Court Improvement Program Field Coordinator with the Children's Services Division and serves as the Division's Cross Systems Liaison.

Whereas, Amy Sadler is the Court Improvement Program Assistant Field Coordinator with the Children's Services Division and serves as the Division's Cross Systems Liaison.

Whereas, Jessica Brown is the Child Welfare/Juvenile Justice Field Coordinator with the Children's Services Division; and serves as a Division Cross Systems Liaison.

Whereas, the Director of the Children's Services Division, the Child Welfare/Juvenile Justice Manager, the Court Improvement Program Field Coordinator, the Court Improvement Program Assistant Field Coordinator and the Child Welfare/Juvenile Justice Field Coordinator with the Children's Services Division, and juvenile probation officers, are employees of the Supreme Court who are required to comply with all applicable confidentiality requirements;

IT IS HEREBY ORDERED, that the Director of the Children's Services Division, Cindy Largent-Hill, the Child Welfare/Juvenile Justice Manager with the Children's Services Division, Brenda Hoylman, the Court Improvement Program Field Coordinators, Timothy Harper and Amy Sadler, and the Child Welfare/Juvenile Justice Field Coordinator, Jessica Brown, shall have full and unimpeded access to witnesses, records, documents and any other evidence that is relevant to:

(1) juveniles in the juvenile system, who are either arrested by law enforcement, referred to court for a petition to be filed, involved in pre-petition diversion, or enrolled in a specialty court;

(2) the Court-ordered review of the facilities operated by or contracted by the Division of Juvenile Services and the Department of Human Services;

(3) review of the facilities, inside and outside the State of West Virginia, that house juveniles in the juvenile system who are placed by a signed order of a circuit court judge in West Virginia;

(4) collection of information related to current issues and practices in the child welfare system and the juvenile justice system as requested by the Juvenile Justice Commission or the Director of the Children's Service Division;

(5) providing assistance to circuit court judges in West Virginia in carrying out the judges' adjudicative responsibilities within the juvenile systems.

IT IS FINALLY ORDERED, that juvenile probation officers employed by the Supreme Court are hereby directed to cooperate fully with the Director of the Children's Services Division and the Child Welfare/Juvenile Justice Manager with the Children's Services Division with regard to inquiries about matters that have been referred to or are being handled by juvenile probation officers.

ENTERED this 23rd day of February, 2024.



Chief Justice