

Circuit Courts

2016 Circuit Court Criminal Case Filings

	Total	Felony	Magistrate Appeals	Misdemeanor	Other Criminal Cases
Barbour	111	107	1	3	0
Berkeley	513	183	2	14	314
Boone	139	88	0	49	2
Braxton	34	25	2	0	7
Brooke	112	90	1	1	20
Cabell	946	563	10	129	244
Calhoun	40	38	0	2	0
Clay	30	23	2	1	4
Doddridge	42	24	0	3	15
Fayette	210	180	3	5	22
Gilmer	72	26	1	2	43
Grant	50	38	0	12	0
Greenbrier	246	152	1	63	30
Hampshire	98	92	5	1	0
Hancock	153	106	4	5	38
Hardy	65	64	1	0	0
Harrison	430	267	15	8	140
Jackson	110	108	0	2	0
Jefferson	155	137	6	12	0
Kanawha	1,203	624	15	150	414
Lewis	179	100	4	5	70
Lincoln	154	102	0	8	44
Logan	174	152	0	16	6
Marion*	-	-	-	-	-
Marshall	111	102	5	4	0
Mason	136	93	0	8	35
McDowell	190	144	18	13	15
Mercer	916	359	13	13	531
Mineral	194	152	7	17	18
Mingo	157	86	0	3	68
Monongalia	371	312	8	11	40
Monroe*	-	-	-	-	-
Morgan	87	74	5	3	5
Nicholas	53	53	0	0	0
Ohio	200	102	0	1	97
Pendleton	21	19	2	0	0
Pleasants	12	10	1	1	0
Pocahontas	95	43	3	19	30
Preston	288	123	4	4	157
Putnam	331	140	16	15	160
Raleigh	999	477	7	86	429
Randolph	170	125	1	14	30
Ritchie	32	21	1	3	7
Roane	128	113	2	10	3
Summers	69	61	0	3	5
Taylor	141	93	0	5	43
Tucker	28	14	2	2	10
Tyler	49	31	1	3	14
Upshur	110	83	1	16	10
Wayne	359	129	2	15	213
Webster	15	15	0	0	0
Wetzel	64	61	2	1	0
Wirt	15	15	0	0	0
Wood	429	285	4	1	139
Wyoming	204	168	4	32	0
Total	11,240	6,792	182	794	3,472

* Due to implementation of CourtPlus, criminal data for Monroe and Marion county are unavailable for 2016.

2016 Circuit Court Civil Case Filings

	Total	Admin. Agency Appeals	Adoption	Divorce	General Civil	Guardianship	Magistrate Appeals	Mental Health	Other Civil Cases	Other Domestic Relations	Personal Safety Appeals
Barbour	157	2	10	0	104	6	5	7	23	0	0
Berkeley	1,292	7	62	1	725	48	14	221	201	0	13
Boone	443	1	25	0	217	16	6	92	78	8	0
Braxton	77	2	8	0	27	0	1	18	21	0	0
Brooke	234	2	7	0	139	5	1	49	28	0	3
Cabell	2,294	0	69	0	820	59	35	1,144	164	0	3
Calhoun	70	0	8	0	34	3	0	10	14	1	0
Clay	115	0	24	0	53	4	3	12	17	2	0
Doddridge	96	0	4	0	65	1	1	15	10	0	0
Fayette	500	0	50	0	346	22	0	38	43	0	1
Gilmer	75	0	6	0	41	2	0	10	16	0	0
Grant	85	1	2	0	46	10	3	14	5	4	0
Greenbrier	363	10	19	0	237	10	3	57	22	0	5
Hampshire	213	0	10	0	101	10	4	11	76	0	1
Hancock	270	3	13	0	162	12	4	27	49	0	0
Hardy	148	0	14	2	55	12	2	11	52	0	0
Harrison	889	1	46	0	478	23	14	237	90	0	0
Jackson	326	3	32	1	129	21	2	96	42	0	0
Jefferson	701	3	44	0	562	19	7	61	0	0	5
Kanawha	4,809	123	144	0	1,834	103	200	1,825	552	0	28
Lewis	483	0	9	0	15	4	1	342	112	0	0
Lincoln	326	0	31	0	125	21	33	41	71	0	4
Logan	486	0	37	1	319	15	3	97	14	0	0
Marion*	-	-	-	-	-	-	-	-	-	-	-
Marshall	495	2	17	48	225	15	4	114	69	1	0
Mason	285	0	17	0	103	7	0	99	56	3	0
McDowell	328	0	16	0	133	9	6	41	123	0	0
Mercer	903	10	67	0	415	48	20	208	117	0	18
Mineral	176	1	12	0	100	5	4	3	51	0	0
Mingo	345	2	52	0	223	11	1	43	13	0	0
Monongalia	1,449	4	25	0	636	30	63	194	493	0	4
Monroe*	-	-	-	-	-	-	-	-	-	-	-
Morgan	159	0	10	0	106	3	4	12	24	0	0
Nicholas	302	1	22	0	142	15	4	61	57	0	0
Ohio	870	5	23	0	407	7	2	294	131	0	1
Pendleton	63	0	6	0	38	3	1	3	5	7	0
Pleasants	97	0	8	0	40	4	2	15	28	0	0
Pocahontas	145	1	5	0	58	4	3	39	32	0	3
Preston	338	2	25	0	222	16	1	19	50	1	2
Putnam	593	3	43	0	315	22	5	128	76	0	1
Raleigh	1,195	10	83	1	835	29	8	166	53	10	0
Randolph	307	1	7	0	162	12	10	29	85	0	1
Ritchie	123	0	13	0	71	2	0	14	23	0	0
Roane	159	0	18	0	73	2	4	26	30	0	6
Summers	83	1	13	0	45	4	0	6	14	0	0
Taylor	122	0	8	0	70	5	0	13	25	1	0
Tucker	60	0	2	0	40	3	0	8	7	0	0
Tyler	104	1	4	7	47	6	0	18	21	0	0
Upshur	209	0	16	0	123	7	3	3	55	0	2
Wayne	431	0	87	0	204	10	6	55	65	0	4
Webster	73	1	3	0	43	4	1	5	12	4	0
Wetzel	264	2	10	19	114	7	1	87	24	0	0
Wirt	51	0	7	0	22	0	3	3	16	0	0
Wood	1,370	8	51	0	549	23	13	577	140	0	9
Wyoming	270	2	34	0	163	13	0	21	35	0	2
Total	25,821	215	1,378	80	12,358	752	511	6,739	3,630	42	116

* Due to implementation of CourtPlus, civil data for Monroe and Marion county are unavailable for 2016.

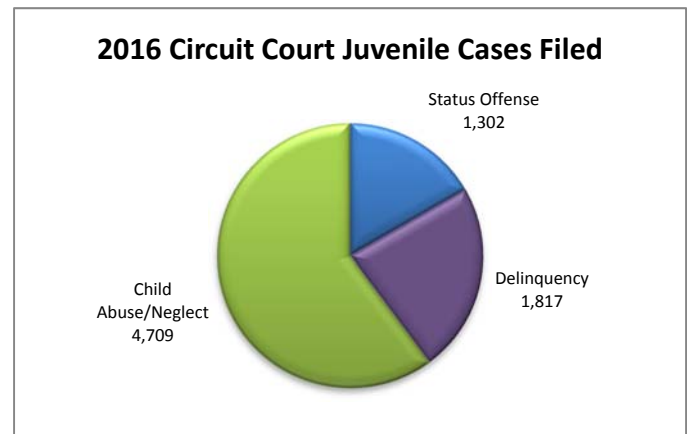
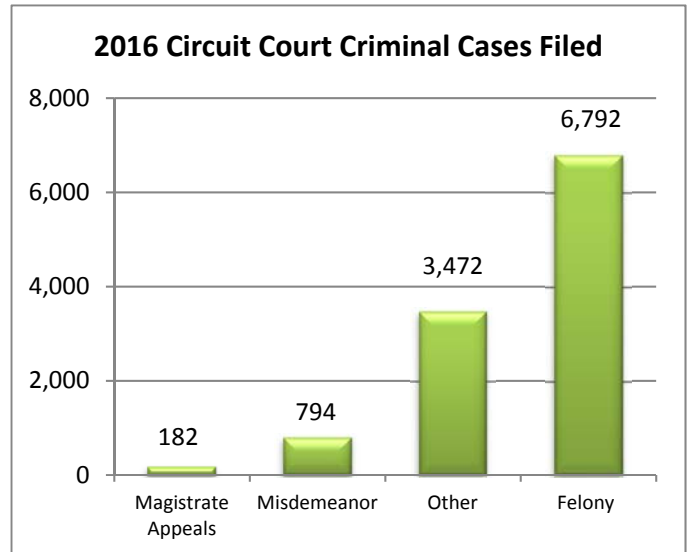
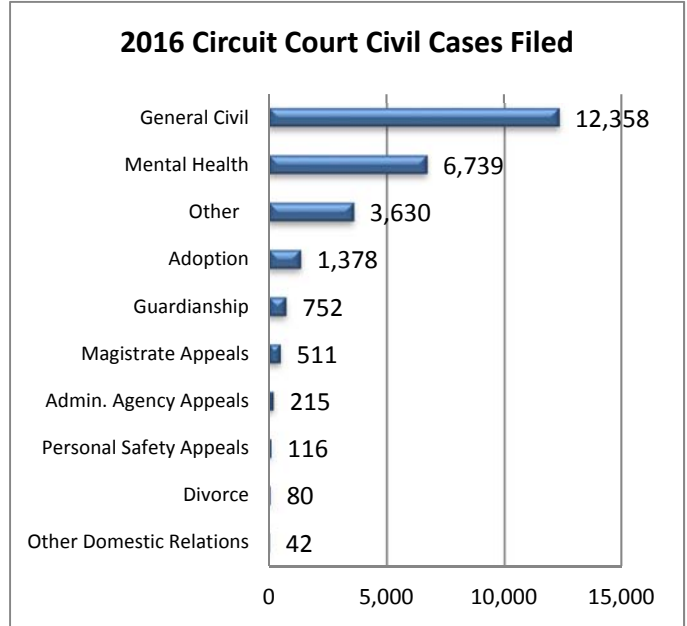
2016 Circuit Court Juvenile Case Filings

	Total	Child Neglect and Abuse	Delinquency	Status Offense
Barbour	123	108	14	1
Berkeley	403	191	142	70
Boone	223	93	77	53
Braxton	40	38	2	0
Brooke	87	42	31	14
Cabell	828	365	301	162
Calhoun	51	47	4	0
Clay	47	37	8	2
Doddridge	46	29	10	7
Fayette	99	77	20	2
Gilmer	47	37	7	3
Grant	42	19	19	4
Greenbrier	116	68	25	23
Hampshire	149	102	23	24
Hancock	161	88	50	23
Hardy	49	27	10	12
Harrison	240	111	60	69
Jackson	34	34	0	0
Jefferson	166	53	95	18
Kanawha	732	651	55	26
Lewis	25	22	2	1
Lincoln	164	74	28	62
Logan	132	60	59	13
Marion*	-	-	-	-
Marshall	81	30	47	4
Mason	60	32	8	20
McDowell	141	93	40	8
Mercer	471	288	80	103
Mineral	8	6	1	1
Mingo	144	86	16	42
Monongalia	154	95	20	39
Monroe*	-	-	-	-
Morgan	59	39	13	7
Nicholas	163	124	16	23
Ohio	208	164	29	15
Pendleton	29	1	11	17
Pleasants	41	15	12	14
Pocahontas	38	22	11	5
Preston	113	90	11	12
Putnam	191	65	33	93
Raleigh	546	219	165	162
Randolph	149	111	25	13
Ritchie	43	36	7	0
Roane	85	58	21	6
Summers	39	22	11	6
Taylor	132	112	15	5
Tucker	13	2	9	2
Tyler	31	25	6	0
Upshur	30	12	16	2
Wayne	247	162	38	47
Webster	107	103	3	1
Wetzel	37	7	27	3
Wirt	22	18	3	1
Wood	316	232	61	23
Wyoming	126	67	20	39
Total	7,828	4,709	1,817	1,302

* Due to implementation of CourtPlus, juvenile data for Monroe and Marion county are unavailable for 2016.

2016 Total Circuit Court Case Filings

	2016 Filings	Civil	Criminal	Juvenile
Barbour	391	157	111	123
Berkeley	2,208	1,292	513	403
Boone	805	443	139	223
Braxton	151	77	34	40
Brooke	433	234	112	87
Cabell	4,068	2,294	946	828
Calhoun	161	70	40	51
Clay	192	115	30	47
Doddridge	184	96	42	46
Fayette	809	500	210	99
Gilmer	194	75	72	47
Grant	177	85	50	42
Greenbrier	725	363	246	116
Hampshire	460	213	98	149
Hancock	584	270	153	161
Hardy	262	148	65	49
Harrison	1,559	889	430	240
Jackson	470	326	110	34
Jefferson	1,022	701	155	166
Kanawha	6,744	4,809	1,203	732
Lewis	687	483	179	25
Lincoln	644	326	154	164
Logan	792	486	174	132
Marion*	0	0		
Marshall	687	495	111	81
Mason	481	285	136	60
McDowell	659	328	190	141
Mercer	2,290	903	916	471
Mineral	378	176	194	8
Mingo	646	345	157	144
Monongalia	1,974	1,449	371	154
Monroe*	0	0		
Morgan	305	159	87	59
Nicholas	518	302	53	163
Ohio	1,278	870	200	208
Pendleton	113	63	21	29
Pleasants	150	97	12	41
Pocahontas	278	145	95	38
Preston	739	338	288	113
Putnam	1,115	593	331	191
Raleigh	2,740	1,195	999	546
Randolph	626	307	170	149
Ritchie	198	123	32	43
Roane	372	159	128	85
Summers	191	83	69	39
Taylor	395	122	141	132
Tucker	101	60	28	13
Tyler	184	104	49	31
Upshur	349	209	110	30
Wayne	1,037	431	359	247
Webster	195	73	15	107
Wetzel	365	264	64	37
Wirt	88	51	15	22
Wood	2,115	1,370	429	316
Wyoming	600	270	204	126
Total**	44,889	25,821	11,240	7,828



* Due to implementation of CourtPlus, civil, criminal, and juvenile data for Monroe and Marion county are unavailable for 2016.

**Mass litigation filings handled by the Mass Litigation Panel are not included in the 2016 filing totals. Please refer to the Mass Litigation section of this report for statistical information on mass litigation cases.

Circuit Court Summary

As of 2016, fifty-five counties divided into thirty-one circuits with seventy judges make up the State of West Virginia. The circuits vary in size; one has seven judges while nine have one judge. While every county has a courthouse where a judge presides, a single circuit can be comprised of up to four counties.

Circuit Judges must have practiced law for at least five years. They serve eight-year terms.

Circuit courts are trial courts of record. They have jurisdiction with limited exceptions over all civil cases in which more than \$2,500 is at issue, all felonies and misdemeanors, and proceedings in habeas corpus, mandamus, quo warranto certiorari, and probation.

Circuit courts receive appeals from family courts, magistrate courts, municipal courts, and all administrative agencies except the Division of Workers' Compensation.

In 2016, there were 44,889 cases filed in West Virginia's circuit courts, a 1.7 percent decrease from 2015 cases filed. Due to implementation of CourtPlus, civil, criminal, and juvenile data for Monroe and Marion county are unavailable for 2016. To calculate an accurate percent decrease, Marion and Monroe case counts were excluded from the 2015 statewide total. Of the 2016 cases, 25,821 were civil case filings (about 58 percent), 11,240 were criminal case filings (about 25 percent), and 7,828 were juvenile case filings (about 17 percent).

Child Abuse and Neglect Overlap Cases

Types of petitions filed:	2016	2015	2014	2013	2012
Juvenile Administrative Order (JAA)	414	439	420	466	458
Juvenile Administrative Order where Mandamus was issued (JAM)	4	1	1	4	1
Family Infant Guardianship (FIG)	1,470	1,333	1,288	1,274	1,116
Circuit Court Infant Guardianship (CIG)	542	498	515	486	418
Circuit Court Infant Guardianship Removed (CIGR)	96	96	106	113	91

“Overlap” cases are cases originating in family court that indirectly involve some allegations of child abuse and neglect and are transferred and handled in circuit court.

- **Juvenile Administrative Orders (JAA):** A family court judge who suspects child abuse and/or neglect in a pending case issues a written referral to a Child Protective Services Office and sends copies to the circuit court and the prosecuting attorney. A circuit judge then issues a JAA directing child protective services to assess the referral and make a written investigation report to the circuit court within the timeframe specified within the JAA, typically forty-five days.
- **Juvenile Administrative Order where mandamus was issued (JAM):** If the written report is not filed within the time frame specified within the juvenile administrative order, or if the report indicates that filing a child abuse and neglect petition is not necessary and the circuit judge disagrees, the circuit judge may treat the family court referral as a petition for a writ of mandamus.
- **Family Infant Guardianship (FIG):** Originating in family court, a third party other than the parents may request to be the guardian of the child.
- **Circuit Court Infant Guardianship (CIG):** Originating in circuit court, a third party other than the parents may request to be the guardian of the child.
- **Circuit Court Infant Guardianship Removed (CIGR):** Originating in family court when the family court judge suspects there has been child abuse and neglect, the family court judge will submit a written referral to child protective services and the guardian case is removed to circuit court.

Electronic Filing and Service in Mass Litigation

As reported by the Mass Litigation Manager

From January 2016 through December 2016 in all Mass Litigation cases subject to electronic filing and service, 93,255 documents were e-filed, and 2,939,588 documents were e-served. In order to capture all work performed in the three circuit court clerks' offices handling Mass Litigation, these statistics include items rejected in the clerk review process as well as orders that do not go through the clerk review process.

During 2016, there were 598,467 pages electronically filed in all Mass Litigation cases subject to electronic filing and service. This translates to more than 249 boxes of paper, based on 2,400 pages per box. From December 2008, when electronic filing and service was first implemented in certain Mass Litigation cases, through the end of December 2016, there were 650,955 documents filed electronically and 4,063,749 pages filed. This translates to over 1,693 boxes of paper.

From January 2016 through December 2016, 6,825 orders were entered in Mass Litigation cases subject to electronic filing and service. This includes bench orders entered by the judge but filed by a circuit clerk or attorney. The following is a breakdown of orders by each Mass Litigation subject to electronic filing and service.

Litigation	Jan-Dec 2016
Alderson Broaddus University Asbestos	2
Asbestos	6,633
Carbon Monoxide	38
Float-Sink	4
Gavin Landfill	16
LPG Land	2
Marcellus Shale	33
Mingo County Coal Slurry	5
Tobacco	10
Water Contamination	10
Zoloft	72
TOTAL	6,825