

# Magistrate Court

## 2016 Magistrate Court Civil Case Filings

	Total	Small Claims	Personal Safety Petitions	Domestic Violence	
				EPO	TEPO
Barbour	298	176	8	114	0
Berkeley	4,887	3,956	193	736	2
Boone	373	180	27	165	1
Braxton	238	163	0	74	1
Brooke	344	199	38	107	0
Cabell	3,911	3,142	129	636	4
Calhoun	157	121	3	33	0
Clay	181	106	2	73	0
Doddridge	147	86	27	34	0
Fayette	782	509	2	261	10
Gilmer	145	99	4	42	0
Grant	257	148	19	89	1
Greenbrier	1,041	653	94	291	3
Hampshire	682	612	1	69	0
Hancock	539	368	17	153	1
Hardy	388	307	0	81	0
Harrison	2,079	1,599	8	467	5
Jackson	782	474	83	225	0
Jefferson	1,697	1,354	79	262	2
Kanawha	6,024	3,175	673	2,175	1
Lewis	830	762	7	61	0
Lincoln	342	108	63	170	1
Logan	1,024	347	275	396	6
Marion	1,293	927	29	335	2
Marshall	633	477	19	136	1
Mason	481	244	45	191	1
McDowell	384	129	83	172	0
Mercer	2,281	1,216	268	797	0
Mineral	544	342	51	151	0
Mingo	486	172	75	239	0
Monongalia	2,886	2,226	100	559	1
Monroe	289	145	41	103	0
Morgan	741	651	8	82	0
Nicholas	423	228	5	188	2
Ohio	1,057	833	35	187	2
Pendleton	128	105	1	22	0
Pleasants	188	136	0	51	1
Pocahontas	264	203	12	49	0
Preston	887	557	40	289	1
Putnam	898	493	36	365	4
Raleigh	1,834	1,132	15	686	1
Randolph	1,021	585	85	351	0
Ritchie	204	152	1	50	1
Roane	324	215	10	99	0
Summers	152	83	1	68	0
Taylor	315	259	1	55	0
Tucker	170	131	14	25	0
Tyler	152	84	14	54	0
Upshur	577	432	12	133	0
Wayne	723	492	42	189	0
Webster	116	56	10	50	0
Wetzel	228	145	3	80	0
Wirt	124	76	1	47	0
Wood	3,299	2,266	219	811	3
Wyoming	357	127	27	203	0
<b>Total</b>	<b>50,607</b>	<b>33,963</b>	<b>3,055</b>	<b>13,531</b>	<b>58</b>

## 2016 Magistrate Court Criminal Case Filings

	Total	Worthless Check	Felony		Misdemeanor		
			Motor Vehicle	Other	Motor Vehicle	DNR	Other
Barbour	1,573	279	11	169	538	44	532
Berkeley	9,696	58	75	1,009	5,598	38	2,918
Boone	3,203	6	12	342	1,950	59	834
Braxton	2,467	51	9	212	1,502	33	660
Brooke	2,741	61	15	144	2,077	19	425
Cabell	9,015	279	64	1,167	3,887	98	3,520
Calhoun	664	46	3	60	390	21	144
Clay	1,053	108	10	70	570	34	261
Doddridge	860	8	1	38	679	27	107
Fayette	4,517	92	29	559	2,505	44	1,288
Gilmer	501	43	2	52	225	11	168
Grant	1,196	70	4	101	477	38	506
Greenbrier	2,231	288	16	236	884	69	738
Hampshire	1,887	85	9	167	1,101	45	480
Hancock	1,596	22	15	160	973	21	405
Hardy	2,383	193	11	173	1,499	43	464
Harrison	4,755	272	48	569	2,429	62	1,375
Jackson	3,362	80	26	236	2,283	69	668
Jefferson	3,666	74	31	400	1,634	99	1,428
Kanawha	16,699	196	241	2,703	8,544	101	4,914
Lewis	1,993	102	12	147	1,136	44	552
Lincoln	4,545	16	22	182	3,775	61	489
Logan	5,113	79	30	458	2,988	85	1,473
Marion	3,136	103	22	444	1,677	30	860
Marshall	1,826	25	13	182	863	34	709
Mason	3,268	40	5	157	2,335	160	571
McDowell	1,786	14	16	248	713	34	761
Mercer	6,644	187	39	720	3,976	74	1,648
Mineral	2,061	38	7	158	1,129	31	698
Mingo	2,587	8	19	286	1,491	75	708
Monongalia	6,975	60	42	640	3,476	96	2,661
Monroe	615	14	1	62	356	25	157
Morgan	1,968	36	2	89	1,359	24	458
Nicholas	3,586	211	7	700	1,631	126	911
Ohio	4,660	97	18	326	3,025	27	1,167
Pendleton	519	30	3	39	308	36	103
Pleasants	686	65	1	38	446	15	121
Pocahontas	957	134	5	105	432	34	247
Preston	3,412	152	9	166	2,422	70	593
Putnam	4,653	152	28	218	3,526	32	697
Raleigh	8,921	282	52	1,023	4,922	67	2,575
Randolph	3,396	650	12	284	1,620	76	754
Ritchie	1,456	44	11	37	1,162	36	166
Roane	1,019	25	10	148	386	32	418
Summers	733	48	4	62	344	31	244
Taylor	1,369	37	2	107	991	22	210
Tucker	1,045	105	0	44	750	24	122
Tyler	547	63	1	45	295	46	97
Upshur	2,034	185	15	229	931	53	621
Wayne	2,177	44	11	254	1,277	90	501
Webster	926	18	6	69	448	33	352
Wetzel	1,324	68	4	85	803	11	353
Wirt	282	14	2	18	125	40	83
Wood	6,570	98	54	638	3,248	117	2,415
Wyoming	2,042	77	10	397	955	67	536
<b>Total</b>	<b>168,896</b>	<b>5,632</b>	<b>1,127</b>	<b>17,372</b>	<b>95,066</b>	<b>2,833</b>	<b>46,866</b>

## 2016 Magistrate Court Juvenile Cases and Special Proceedings

	Juvenile				Special Proceedings			
	Total	Motor Vehicle	DNR	Other	Total	Mental Health	Abuse and Neglect	Juvenile
Barbour	17	6	8	3	20	8	0	12
Berkeley	109	99	0	10	0	-	-	-
Boone	39	13	16	10	0	0	0	0
Braxton	16	12	2	2	8	0	5	3
Brooke	63	46	0	17	12	0	12	0
Cabell	50	27	16	7	306	5	0	301
Calhoun	5	4	0	1	28	6	18	4
Clay	7	6	1	0	13	1	8	4
Doddridge	12	10	0	2	47	1	29	17
Fayette	39	28	1	10	17	10	4	3
Gilmer	14	2	0	12	16	2	4	10
Grant	24	9	1	14	11	3	6	2
Greenbrier	23	11	6	6	56	0	19	37
Hampshire	65	36	0	29	50	0	26	24
Hancock	22	15	0	7	51	0	0	51
Hardy	33	26	1	6	15	1	2	12
Harrison	58	19	2	37	82	0	0	82
Jackson	35	25	7	3	0	-	-	-
Jefferson	40	25	5	10	215	0	8	207
Kanawha	69	47	0	22	381	0	0	381
Lewis	31	16	4	11	4	1	0	3
Lincoln	51	44	3	4	107	7	0	100
Logan	47	18	2	27	26	3	3	20
Marion	31	29	0	2	77	0	50	27
Marshall	37	18	1	18	0	0	0	0
Mason	87	43	13	31	0	0	0	0
McDowell	12	1	0	11	115	41	11	63
Mercer	46	41	2	3	0	0	0	0
Mineral	33	31	0	2	11	1	9	1
Mingo	23	13	6	4	78	7	4	67
Monongalia	87	29	2	56	5	5	0	0
Monroe	32	14	1	17	5	0	0	5
Morgan	23	19	0	4	26	-	1	25
Nicholas	35	24	7	4	39	3	30	6
Ohio	66	64	1	1	103	0	74	29
Pendleton	21	21	0	0	22	1	0	21
Pleasants	12	7	2	3	27	4	0	23
Pocahontas	41	31	2	8	35	14	6	15
Preston	34	24	4	6	0	0	0	0
Putnam	51	45	6	0	0	0	0	0
Raleigh	76	51	0	25	427	127	18	282
Randolph	33	31	2	0	0	0	0	0
Ritchie	13	6	1	6	26	3	14	9
Roane	32	7	5	20	65	14	12	39
Summers	9	3	6	0	17	0	16	1
Taylor	29	27	0	2	32	14	0	18
Tucker	7	4	0	3	1	0	0	1
Tyler	18	14	1	3	3	0	2	1
Upshur	31	18	1	12	28	0	9	19
Wayne	32	21	4	7	17	13	2	2
Webster	9	4	4	1	27	5	18	4
Wetzel	17	15	2	0	2	0	1	1
Wirt	42	5	27	10	16	0	13	3
Wood	89	47	5	37	24	0	24	0
Wyoming	4	4	0	0	139	9	30	100
<b>Total</b>	<b>1,981</b>	<b>1,255</b>	<b>180</b>	<b>546</b>	<b>2,832</b>	<b>309</b>	<b>488</b>	<b>2,035</b>

## Changes in Magistrate Court Reporting

In 2016, all counties officially started using the Unified Judicial Application (UJA), case management system, allowing the Court to report more case type detail. More in-depth reporting of cases has also allowed the Court to identify discrepancies with case classification. Examples of case type changes are as follows:

- **Definition of a Case:** For juvenile, civil, and domestic cases, consider the filing of an original petition or complaint as a case. For criminal cases, consider the filing of the original indictment or information against one individual as a case. Consider all criminal charges involved in a single incident as one case.
- Criminal cases were previously reported by charge rather than case counts. Charge counts are a count of every charge within a single case making previous years filing counts seem higher.
- **Definition of a Special Proceeding:** Counts of activity in magistrate court where the court of record is the Circuit Court. A Magistrate's authority to hear said cases is established by the following code: Mental Health- WV code 27-5-1(b), Abuse and Neglect – WV code § 49-4-303(2), and Juvenile – WV code § 49-1-207.
- Felony, Domestic Violence (EPO & TEPO), and Personal Safety Petitions were previously reported under special proceedings. It was decided these should be reported as part of the Magistrate court caseload due to the magistrate court being the court of record.

## Magistrate Court Summary

There are 158 magistrates in West Virginia. There are at least two magistrates in every county and ten in the largest county, Kanawha.

Current Magistrates run for four-year terms in nonpartisan elections. Magistrates have jurisdiction over civil cases in which the financial amount in dispute is less than \$10,000. They hear misdemeanor cases and conduct preliminary examinations in felony cases. In criminal cases they issue and record affidavits, complaints, arrest warrants, and search warrants. They set bail and make decisions concerning proposed plea agreements, the collection of courts' costs, cash bonds, and fines. In some counties where there are no mental hygiene commissioners, the chief judge can designate a magistrate to handle all or part of probable cause involuntary hospitalization cases. However, Magistrates cannot handle final commitment or guardianship cases.

