

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: CONTINUATION OF FAMILY COURT APPELLATE PROCEDURES

WHEREAS, West Virginia Code § 51-2A-11 through § 51-2A-15 provide a mechanism for appellate review of final orders entered by a family court judge;

WHEREAS, pursuant to its inherent constitutional rule-making authority, the Supreme Court of Appeals has set forth rules governing practice and procedure in appeals from final orders entered by a family court judge, *See* Rules 26 through 36 of the Rules of Practice and Procedure for Family Courts, and Rule 13 of the Revised Rules of Appellate Procedure; and

WHEREAS, by the terms of West Virginia Code § 51-2A-16(a), the statutory mechanism for appellate review of final orders entered by a family court judge expire on June 30, 2011; and

WHEREAS, the due process guarantees set forth in Article III § 10 of the West Virginia Constitution apply to family court cases; and

WHEREAS, Article III § 17 of the West Virginia Constitution states that the "courts of this state shall be open" and requires that "justice shall be administered without sale, denial or delay."; and

IT IS HEREBY ORDERED, that the aforementioned court rules governing appeals from final orders entered by a family court judge shall remain in full force and effect until further order of this Court.

ENTERED this ____ day of May, 2011.

MARGARET L. WORKMAN
Chief Justice

Attest: _____
Rory L. Perry II, Clerk
Supreme Court of Appeals