



Supreme Court of Appeals State of West Virginia

News

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Chief Justice Issues Revised Order Extending Judicial Emergency Through May 15

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CHARLESTON, W.Va. – West Virginia Supreme Court Chief Justice Tim Armstead today entered an order extending the Judicial Emergency due to the COVID-19 virus and expanded the ability of judicial officers to address pending matters via telephone and video conference if certain conditions are met.

“This order extends the judicial emergency precautions through May 15 as we continue to monitor the health care concerns related to the COVID-19 virus,” said Chief Justice Armstead. “Because our courts have rapidly adapted to the use of technology to avoid in-person hearings, we have modified the previous order to allow judges to move forward with additional matters in certain circumstances but only where proceedings can be held remotely via telephone or video conferencing. The health and well-being of our citizens remains an overriding concern.”

The new order is being posted on the West Virginia Judiciary website on the COVID-19 page: <http://www.courtswv.gov/covid19/COVID19.html>. The order:

- Extends the prior period of judicial emergency that was set to expire on May 1 to May 15, 2020;
- Continues stay of jury trials and grand jury proceedings until May 15, 2020;
- Allows for non-contested adoption proceedings to be held;
- Allows for circuit judges, family court judges, and magistrates to hold telephone or video hearings, proceedings, and bench trials in non-emergency cases with the mutual consent of the parties, which shall not be unreasonably withheld;
- Allows judges and magistrates to impose deadlines on parties related to non-emergency telephone or video hearings, proceedings, and bench trials; and
- Extends stays of wrongful occupation and eviction hearings, absent a finding of significant harm if the proceeding is delayed, until May 18.

All other provisions of the previous emergency orders remain in place.