



Supreme Court of Appeals State of West Virginia

News

Administrative Office
1900 Kanawha Blvd., East
Bldg. 1, Room, E-316
Charleston, West Virginia 25305
(304) 340-2305 Jennifer Bundy
(304) 340-2306 April Harless
(304) 558-1212 FAX
Web Site: www.courtsvw.gov
Facebook: [wvjudiciary](https://www.facebook.com/wvjudiciary)
Twitter: [WVCourts](https://twitter.com/WVCourts)
SmugMug:
<https://wvcourts.smugmug.com/>
Email: Jennifer.Bundy@courtsvw.gov
Email: April.Harless@courtsvw.gov

Chief Justice Hutchison Gives Update on Intermediate Court of Appeals Planning During Budget Presentations

For immediate release Wednesday, January 19, 2022

CHARLESTON, W. Va. – Chief Justice John Hutchison explained the Supreme Court’s Intermediate Court of Appeals (ICA) planning process to legislators during House and Senate budget presentations this week and released the names of the members of the ICA Advisory Council. These individuals were either nominated by an association or volunteered to serve as a member on the council.

The council, which will advise the Justices as they make decisions on the ICA’s operation, will be comprised of attorneys, judges, and representatives from the other two branches of government. The Administrative Order naming the members was released today and can be found on the judiciary’s website at:

[Order Naming Advisory Council members for the Intermediate Court of Appeals \(courtsvw.gov\)](https://www.courtsvw.gov/Order-Naming-Advisory-Council-members-for-the-Intermediate-Court-of-Appeals)

The West Virginia judicial system budget request for the fiscal year beginning July 1 is \$146.3 million, a 5 percent increase over last year’s budget due largely to the creation of the ICA.

“We are committed as a court to transparency and fiscal responsibility,” Chief Justice John Hutchison told the Senate Finance Committee on January 18 and the House Finance Committee on January 19.

The Supreme Court has allocated \$5,084,026 for the ICA in its first full year of operation, which is \$75,000 less than the Division of Regulatory and Fiscal Affairs’ fiscal note estimate. No new money for the court was appropriated in the current fiscal year; therefore, the court system absorbed those start-up costs in its current budget.

The budget for the ICA will fund new positions, including three judges, their staffs, and clerk’s office personnel. The ICA is to begin operating on July 1, the first day of the new fiscal year.

Because it will hear appeals from family court cases, in which some litigants are self-represented, the Supreme Court does not want those litigants to have to drive to Charleston for hearings.

Since the Legislature enacted the ICA in 2021, the Supreme Court has worked diligently on its establishment. Justice Evan Jenkins, who was Chief Justice last year, set up an organizational structure so the Justices and leadership could “divide and conquer” all aspects of setting up a new level of courts, Chief Justice Hutchison said.

As for the judicial system budget overall, personal services and benefits account for 82.4 percent of the judicial branch budget. The court system has 1,473 employees throughout the state, including 288 elected judges and magistrates. Sixty-two employees work directly for the Supreme Court. Another 123 work for the Administrative Office in Charleston and serve all courts in the state, including 60 who work for the Division of Technology Services.

“Since the budget year 2019, the Supreme Court has made a determined effort to tighten our budget,” Chief Justice Hutchison said. For example, the Supreme Court did an internal audit of Law Library expenses and was able to cut \$500,000 from the library’s budget because so much information is now available online.

Judicial budget requests for the last five years were less than the 2017-2018 budget of \$141.75 million. Other than the ICA, the increase this year consists of \$1.1 million for judicial pay raises enacted by the Legislature, \$150,000 for increases in guardian *ad litem* costs required by state law, and \$550,000 in incremental pay raises based on employees’ years of service and/or educational achievements.

About 23 percent of the overall budget request is for operating circuit courts, 22 percent for magistrate courts, 10 percent for family courts, 5 percent for the Supreme Court (including the Clerk’s Office and Office of Counsel), and 3 percent for the ICA.

Another 21 percent of the budget funds 402 probation officers who work in every county supervising 10,000 probationers. Probation officers prepare presentence reports for circuit judges, conduct home visits and drug tests, check on the health and employment of probationers, and oversee drug treatment courts. There are 29 adult drug courts serving 46 counties, 15 juvenile drug courts serving 22 counties, and 10 family treatment courts serving 13 counties.

##