



Supreme Court of Appeals State of West Virginia

News

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Intermediate Court of Appeals Advisory Council to Meet, ICA Rules Released for Public Comment, E-Filing Contract Awarded

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CHARLESTON, W.Va. – The Supreme Court of Appeals of West Virginia has scheduled a meeting of the Intermediate Court of Appeals (ICA) Advisory Council, is seeking public comment on Rules of Practice and Procedure related to the ICA, and has awarded a contract to provide e-filing for both appellate courts.

“The Supreme Court and our staff have been working diligently toward the implementation of the Intermediate Court of Appeals on July 1. There are many interconnected aspects of setting up a new level of courts,” said Chief Justice John Hutchison. “We are now ready to welcome public comment and insight.”

The ICA Advisory Council will meet at 10 a.m. on Friday, March 18, in the second-floor conference room of City Center East, 4700 MacCorkle Ave. SE, in Charleston. The public and media may attend in person or watch and listen virtually via WebEx. E-mail Public Information Officer Jennifer Bundy (Jennifer.Bundy@courtswv.gov) to request a WebEx invitation.

Chief Justice Hutchison recently appointed members to the ICA Advisory Council. The ICA Advisory Council is comprised of attorneys, judges, and representatives from the other two branches of government. Council members will act as a resource to comment on details of the ICA’s procedures as they are established by the Supreme Court. The appointment order is available at http://www.courtswv.gov/lower-courts/Intermediate-Court-Appeals/2-15-22ICA_AdvisoryCouncilMembersOrder.pdf.

Meanwhile, proposed rules of procedure for the ICA – and changes to other procedural rules necessitated by the establishment of the ICA – are out for public comment until April 11. The proposal includes changes to the rules of practice and procedure for family courts, minor guardianship, administrative appeals, and appellate procedure.

Comments must be submitted in writing to the Clerk of Court. For more information, see <http://www.courtswv.gov//legal-community/court-rules/Orders/2022/ICA%20Rules%20Pub%20Comment%202022.pdf>.

Also, after working through a competitive bidding process, the Supreme Court has executed a contract with File & ServeXpress, LLC, of Irving, Texas, to develop an appellate e-filing system for the Supreme Court and the ICA.

CEO of File & ServeXpress, Tammy Carter, says of the expansion: “We work every day to serve our courts and filers and bring automation and efficiency to the adjudication process with our technology. We are very excited to expand our relationship with the West Virginia courts after supporting the judges and filers involved in the Mass Tort Litigation cases over the last 14 years.”

E-filing will be mandatory for members of the West Virginia State Bar, but *pro se* litigants may submit paper filings to the Clerk of Court, who will serve as the Clerk for both the Supreme Court and the ICA.

“Today’s announcements demonstrate the important work we are doing together to implement the Intermediate Court of Appeals,” said Justice Beth Walker. “I am grateful to our Supreme Court Clerk Eydie Gaiser and our Administrative Director Joe Armstrong for leading their hard-working teams, who are focused on a successful launch of the ICA later this year.”

“The creation of the Intermediate Court of Appeals involves a wide range of changes to our judicial system, and the Supreme Court, along with our dedicated staff members, have been working diligently since the Legislature created the court last year to make it successful,” said Justice Tim Armstead. “We are looking forward to the Intermediate Court beginning its work on July 1, and we will continue our preparation to ensure the court system is well-prepared for the Intermediate Court’s important work.”

“The entire Court and Administrative Office is working hard to have the new ICA up and running by July 1. It is exciting that electronic filing and service will be implemented for the ICA and the Supreme Court, which will benefit the citizens of our state,” said temporary Justice Alan D. Moats.

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