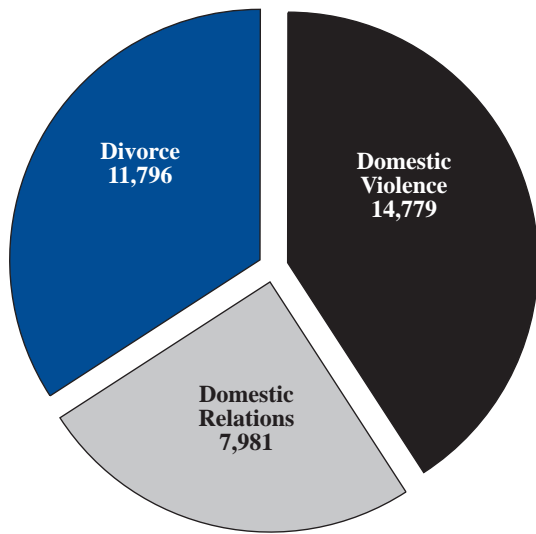


Family Court Cases Filed in Calendar Year 2007



West Virginians Served by Supreme Court-Supported Family Visitation Centers in 2007

Category	Number
Total Parents Served**	651
Fathers	291
Mothers	327
Grandparent/Legal Guardian	33
Children Involved	549
Parent Education	43
Supervised Visitation	473
Neutral Drop-off	160
Counseling/Parent Plans	239

** Total number of parents served = fathers + mothers + grandparents + legal guardians

Family Courts

Before 2001, West Virginia had 33 family law masters who served 24 family court circuits. Family law masters were special commissioners the governor appointed to hear family court cases and to issue recommended orders to circuit courts. A constitutional amendment approved by voters in November 2000 elevated family courts to a separate court system with 35 judges in 26 circuits.

The governor appointed the first family court judges to one-year terms. They then stood for election in partisan races in 2002 and took

Family Court Case Filings

County	Year	2007	2006	2005	2004	2003	2002
Barbour	244	247	184	138	141	244	
Berkeley	1,728	1,814	1,803	1,722	1,603	1,569	
Boone	645	621	605	663	610	608	
Braxton	208	235	220	233	243	282	
Brooke	318	304	344	332	308	323	
Cabell	2,475	2,454	2,388	2,328	2,440	2,341	
Calhoun	113	119	142	174	158	130	
Clay	258	325	326	282	243	288	
Doddridge	121	124	142	133	125	126	
Fayette	933	1,030	946	990	897	981	
Gilmer	86	126	66	50	58	123	
Grant	186	180	250	127	191	121	
Greenbrier	593	640	685	713	736	630	
Hampshire	308	282	279	333	254	276	
Hancock	519	595	443	388	516	505	
Hardy	264	276	289	257	247	218	
Harrison	1,263	1,354	1,268	1,187	1,181	1,092	
Jackson	560	456	487	457	419	472	
Jefferson	768	752	775	826	783	677	
Kanawha	4,153	4,302	4,741	4,270	4,418	4,375	
Lewis	265	276	233	285	241	283	
Lincoln	474	528	549	511	631	550	
Logan	1,052	1,185	1,283	1,210	1,192	1,225	
Marion	858	843	849	836	901	842	
Marshall	513	448	526	465	547	461	
Mason	529	562	474	524	461	480	
McDowell	684	781	3,220	817	804	788	
Mercer	684	1,894	1,943	1,830	1,644	1,691	
Mineral	507	403	362	380	407	426	
Mingo	1,025	1,061	1,125	1,119	1,097	1,157	
Monongalia	1,208	1,171	1,183	1,228	1,150	1,110	
Monroe	329	295	289	298	233	222	
Morgan	186	223	218	274	226	249	
Nicholas	507	518	471	495	457	460	
Ohio	620	731	717	1,386	659	674	
Pendleton	78	95	87	56	58	60	
Pleasants	131	156	129	108	109	136	
Pocahontas	172	214	221	211	184	183	
Preston	554	523	514	559	521	499	
Putnam	957	904	946	923	890	871	
Raleigh	1,594	1,669	1,617	1,529	1,319	1,637	
Randolph	552	511	505	428	500	502	
Ritchie	148	156	185	145	189	228	
Roane	300	362	305	329	278	319	
Summers	270	305	284	246	445	221	
Taylor	241	221	214	169	199	178	
Tucker	77	81	99	92	98	124	
Tyler	151	136	132	145	147	154	
Upshur	347	343	312	339	357	397	
Wayne	776	780	821	840	909	800	
Webster	243	237	193	238	206	179	
Wetzel	279	230	248	222	290	273	
Wirt	106	131	103	114	117	131	
Wood	1,633	1,607	1,647	1,524	1,420	1,506	
Wyoming	763	663	793	746	661	768	
TOTAL	34,556	36,479	39,180	36,224	35,118	35,165	

office for initial six-year terms in January 2003. Subsequent terms beginning January 1, 2009, will be for eight years, the same as terms of circuit judges. During the 2007 legislative session, the Legislature added ten additional family court judges, one additional circuit, and restructured nine circuits to balance caseloads statewide. The new judges will be elected in 2008 and begin their eight-year terms on January 1, 2009.

Family court judges have authority to make final decisions in family court cases. Circuit courts hear appeals of family court decisions unless both parties agree to appeal divorce and other domestic relations decisions directly to the Supreme Court of Appeals.

Family courts have jurisdiction over divorce, annulment, separate maintenance, paternity, grandparent visitation, name change, infant guardianship and child custody and family support proceedings, except those incidental to child abuse and neglect. Family court judges also hold final hearings in civil domestic violence protective order proceedings and may perform marriages.

In 2007, there were 34,556 new cases filed in family courts in West Virginia. Of those, 14,779 were domestic violence, 11,796 were divorces, and 7,981 were other domestic relations. There also were 15,539 modification and contempt proceedings in cases reopened during the year, which were not counted as new cases filed. Those proceedings accounted for 44.9 percent of the family court judges' statewide workload.

Family Court Services

Family court judges can refer parents to mediation and parent education, and refer children for guardian *ad litem* services. The Supreme Court does not charge families who cannot afford to pay for these services.

In West Virginia, guardians *ad litem* must be attorneys and they conduct investigations to help family court judges make decisions in the best interest of the people the guardians represent. Family court judges can appoint guardians *ad litem* on behalf of children, incarcerated persons, and people confined to mental health facilities who are involved in family court disputes.

Family court judges require all parents to attend mediation sessions if they cannot otherwise resolve parenting issues or agree to a parenting plan. Parents first go to individual pre-mediation screening sessions with a trained family case coordinator to determine if they are candidates for mediation. About twenty percent of parents are not candidates for mediation for various reasons.

If parents go to mediation, they must attend a mediation session with a Supreme Court-approved family court mediator who helps them draft a parenting plan to present to a family court judge.

Along with mediation, family court judges order parents to attend parent education classes. Every West Virginia county offers parent education classes in which parents learn about preparing a parenting plan, mediation, and the effects of family dissolution and domestic violence on children.

In 2007 the Supreme Court approved an expansion of "high-conflict" parent education classes and made plans to launch a program in September 2008 for children whose parents are divorcing. The high-conflict parent education classes have proved to be a success in a pilot program in Family Court Circuit Five, which includes Mason and Jackson counties. The classes are designed for parents who continue to have disputes after attending a mandatory one-time parent education class required of all divorcing couples who have children. Family courts refer select couples to the series of six, two-hour classes. Beginning in the fall of 2007, the "high-conflict" program was renamed the "Advanced Child-Focused Parent Education Program," and the classes were expanded from one region to ten regions. Within the next year, each region will conduct three sessions of six-week classes with ten pairs of parents per session.

The Supreme Court also hosted a conference in Charleston on September 14 and 15, 2007, for those who will be teaching the new "advanced child-focused" parent education classes and those who currently teach and coordinate basic parent education classes. The

mandatory, one-time basic parent education class teaches parents how to minimize the negative effects on children of divorce and family dissolution. They also learn about mediation, the negative effects on children of domestic violence, resources available for dealing with domestic violence, and how to prepare a parenting plan. The advanced child-focused parent education classes educate parents regarding the impact of conflict on their child's development; help parents identify their contribution to conflict while increasing impulse control; teach parents anger management, communication, and conflict resolution skills; and educate parents about children's issues in divorce.

Family Court Modifications and Contempts in 2007

	Modifications	Contempts	New Filings	Reopened Cases as a % of Total Caseload
Barbour	64	61	244	34%
Berkeley	291	204	1,728	22%
Boone	130	96	645	26%
Braxton	28	37	208	24%
Brooke	73	57	318	29%
Cabell	497	561	2,475	30%
Calhoun	44	39	113	42%
Clay	74	66	258	35%
Doddridge	21	25	121	28%
Fayette	231	159	933	29%
Gilmer	35	28	86	42%
Grant*	50	46	186	34%
Greenbrier	115	187	593	34%
Hampshire	75	30	308	25%
Hancock	71	47	519	19%
Hardy	62	36	264	27%
Harrison	129	106	1,263	16%
Jackson	135	106	560	30%
Jefferson	126	80	768	21%
Kanawha	1,201	1,113	4,153	36%
Lewis	87	56	265	35%
Lincoln	147	118	474	36%
Logan	327	188	1,052	33%
Marion	209	76	858	25%
Marshall	145	107	513	33%
Mason	126	115	529	31%
McDowell	173	108	684	29%
Mercer	235	145	684	36%
Mineral	131	49	507	26%
Mingo	392	130	1,025	34%
Monongalia	182	172	1,208	23%
Monroe	51	58	329	25%
Morgan	44	45	186	32%
Nicholas	121	71	507	27%
Ohio	101	176	620	31%
Pendleton	23	23	78	37%
Pleasants	30	21	131	28%
Pocahontas	54	72	172	42%
Preston	123	179	554	35%
Putnam	146	237	957	29%
Raleigh	537	375	1,594	36%
Randolph*	148	137	552	34%
Ritchie	50	47	148	40%
Roane	107	75	300	38%
Summers	48	31	270	23%
Taylor	83	61	241	37%
Tucker*	21	19	77	34%
Tyler	32	15	151	24%
Upshur	143	74	347	38%
Wayne	256	205	776	37%
Webster	58	50	243	31%
Wetzel	82	51	279	32%
Wirt	20	14	106	24%
Wood	387	384	1,633	32%
Wyoming	295	205	763	40%
Grand Total	8,566	6,973	34,556	31%

* Modification and Contempt totals for Grant, Randolph, and Tucker Counties were reported as a sum of all three counties. An estimate of individual county totals was calculated based on their total new filings ratio.