

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5516

By Delegate Burkhammer

[Introduced February 13, 2026; referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §58-5-1 of the Code of West Virginia, 1931, as amended, relating to
2 requiring abuse and neglect case appeals to be processed within six months.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 5. APPELLATE RELIEF IN THE INTERMEDIATE COURT OF APPEALS AND
THE SUPREME COURT OF APPEALS.**

§58-5-1. When appeal lies.

1 (a) A party to a civil action may appeal to the Supreme Court of Appeals from a final
2 judgment of any circuit court or from an order of any circuit court constituting a final judgment as to
3 one or more but fewer than all claims or parties upon an express determination by the circuit court
4 that there is no just reason for delay and upon an express direction for the entry of judgment as to
5 such claims or parties: *Provided*, That an appeal of a final order or judgment of a circuit court
6 entered after June 30, 2022, shall be to the Intermediate Court of Appeals, as required by §51-11-1
7 *et seq.* of this code.

8 (b) As provided in §51-11-10 of this code, a party in interest may petition the Supreme
9 Court of Appeals for appeal of a final order or judgment of the Intermediate Court of Appeals in
10 accordance with rules promulgated by the Supreme Court of Appeals.

11 (c) The defendant in a criminal action may appeal to the Supreme Court of Appeals from a
12 final judgment of any circuit court in which there has been a conviction, or which affirms a
13 conviction obtained in an inferior court.

14 (d) All abuse and neglect case appeals shall be processed by the Supreme Court of
15 Appeals within six months.

NOTE: The purpose of this bill is to require abuse and neglect case appeals to be processed within six months.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.