

THE
NATIONAL LAW REVIEW

Supreme Court of Appeals of West Virginia Halts Impeachment Trial

Monday, October 22, 2018

On Monday, the West Virginia Senate had planned to begin the impeachment trial for Chief Justice Margaret Workman – but last week, the acting justices on the Supreme Court of Appeals [ruled](#) that Workman’s impeachment was unconstitutional.

In September, the West Virginia House of Delegates voted to [impeach](#) four West Virginia Supreme Court Justices after questions arose about expensive, state-funded office renovations.

Chief Justice Margaret Workman sued the legislature, arguing her impeachment violated the state constitution. Five acting justices heard the case, and last week [unanimously](#) halted the impeachment proceedings against Workman. As [Slate](#) explains, the acting court found that this particular impeachment violated separation of powers principles because the “legislature has no power to impeach a justice based on alleged violations of the West Virginia Code of Judicial Conduct,” and that the procedure the House followed also violated due process requirements.

According to [The Washington Post](#), “It’s not clear how Workman’s case will proceed; attorneys for the Senate had previously indicated that they planned to appeal to the U.S. Supreme Court.” Judge Paul Farrell, the presiding judge for the impeachment trial, said he would obey the court order, and not preside over the case.

© Copyright 2019 Brennan Center for Justice at New York University School of Law

Source URL: <https://www.natlawreview.com/article/supreme-court-appeals-west-virginia-halts-impeachment-trial>



Article By [Brennan Center for Justice](#)
[Laila Robbins](#)

[Civil Procedure](#)
[Constitutional Law](#)
[West Virginia](#)