

# Major constitutional issues in West Virginia.

Bureau for Government Research, West Virginia University - West Virginia



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## The most important health

Where the delay is not *prima facie* excessive, however, the burden of demonstrating prejudice is upon the defendant, as this Court explained in syllabus point one of *State v. The Hundley*. Court explained: Furthermore, even in those limited situations where Leonard does apply, the State in rebutting the prejudice need only show that the delay was not deliberately designed to gain a tactical advantage over the defendant.

## Issues of constitutional revision in West Virginia

Code § 29-21-6 e 2020. In reviewing challenges to the findings and conclusions of the circuit court, we apply a two-prong deferential standard of review. In Segment 1, Gary Zuckett, Executive Director of the West Virginia Citizen Action Group, talks about key political issues that affect citizens of the Mountain State, including the Reclaim Act, For the People Act, and Medicare.

## The most important health

Provisions for the detention of youth are found in W. On appeal, the Appellant contends that he was denied his right to a speedy trial and that trial counsel was ineffective.

## West Virginia

Accordingly, we conclude that the Appellant has not demonstrated a violation of his due process rights occasioned by the delay between the original accusation of criminal conduct and his trial in this cause. The office also contains a criminal law research center that provides training and technical assistance related to the delivery of legal representation and research issues related to the direct representation of eligible clients.

## West Virginia Amendment 1 (1998)

Syllabus point six of Miller continued: In reviewing counsel's performance, courts must apply an objective standard and determine whether, in light of all the circumstances, the identified acts or omissions were outside the broad range of professionally competent assistance while at the same time refraining from engaging in hindsight or second-guessing of trial counsel's strategic decisions. Warfield Buckhannon, West Virginia Assistant Attorney General Attorney for the Appellant Charleston, West Virginia Attorneys for the Appellee The Opinion of the Court was delivered PER

CURIAM. Such order may be entered only after giving the parents or legal guardians a reasonable opportunity to be heard.

#### **Major constitutional issues in West Virginia**

**Post-Disposition Advocacy** The legal needs of children in the delinquency system rarely end at disposition, and states vary in the way they provide a right to representation on these post-disposition issues. If there is no local or regional panel attorney available and the circuit does not have an operational public defender office, the judge may appoint a panel attorney from any circuit. Questions of law are subject to a de novo review.

#### **State of West Virginia v. Hinchman, No. 31153**

We stated that in order to prevail on an ineffective assistance of counsel claim, the petitioner must show both deficient performance and prejudice. He was thereafter indicted in January 1996 and convicted during that same term of court.

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