

SUPREME COURT OF APPEALS
STATE OF WEST VIRGINIA

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MEMORANDUM

TO: ALL JUSTICES

FROM: STEVE CANTERBURY *SDC*

DATE: August 19, 2016

SUBJECT: Review of Costs to the State of Justice Davis' Dinners and Any other Parties Held at Homes of Any Other Court Employees

On August 10, 2016, Justice Loughry asked that several questions be answered regarding any costs to the State of the receptions held for Court employees at the home of Justice Davis. Further he asked whether the State had paid any money toward "any social events at the private homes of any justice, circuit court judge, family court judge, magistrate, or court employee."

I'll deal with the second issue first: besides, Justice Davis I am the only other court employee who has been identified as having other court employees to his home. Seven times during the last eleven years, I have asked groups of employees from the Administrative Office to meet at my house after 2:30 PM for a late lunch over which we have dealt with court business. Afterwards, the employees were free to walk on the paths on our property, to lounge on the deck, or to go home. None of the cost of the food was borne by the State; I paid for the pizzas or sandwiches myself. Since there are no soft drinks at my house, I asked employees to bring their own preferred beverage if they wanted something other than water.

Justice Davis held dinners for Court employees at her house on seven different occasions. As indicated on the Judicial Conference agendas, all but one of the dinners occurred in conjunction with and as a part of the state Judicial Conferences. The exception was the appreciation dinner Justice Davis hosted for Administrative Office staff who volunteered their time at The Greenbrier for the 2014 Annual Meeting. All Justices also attended the 2014 dinner. All of the other dinners were held during the Judicial Conferences for all of the state's judges and their spouses, along with several other Court employees (such as the Court Marshals, Division of Judicial Education staff [who work the conferences], Clerk Perry, and I). All guests were either Court employees or their spouses or dates.

At all of the dinners, Justice Davis paid for all alcohol, serving staff, and clean-up. No court staff were used to work at the dinners.

The following is a list of the dinners held at Justice Davis' home, when they occurred, and (except for the 1998 dinner since there are no financial records kept by the Auditor or by the Financial Division of the Court before 1999) the Court's cost -- listed by specific vendor -- for those dinners:

Date of Reception	Total State Dollars Spent	Breakdown of Expenditures (if any)
April 22, 1998	\$0*	N/A*
May 8, 2002	\$0	N/A
May 3, 2006	\$0	N/A
October 16, 2007	\$0	N/A
June 14, 2011	\$907.50	Kanawha Valley Regional Transportation Authority (for transporting judges and spouses from the hotel to Justice Davis' residence and back)
October 8, 2013	\$11,360.03	Food: \$5,250.00 – Meticulous, Inc. \$1,083.11 – Buzz Products, Inc. \$ 851.25 – Joe's Fish Market \$ 21.54 – Kroger's \$ 38.25 – Spring Hill Bakery Tent, tables, chair rentals: \$1,673.38 – Party King Decorations: \$1,535.00 – Food among the Flowers Transportation (as described above): \$907.50 – Kanawha Valley Trans. Auth
September 26, 2014	\$0	N/A

*As noted earlier, there are no copies of financial records before 1999. Justice Davis recalls that the first dinner at her house in 1998 (as with the next three) was paid entirely by her.

Yesterday, you received a copy of National Center for State Courts President Mary McQueen's letter which states that no NCSC funds were used for the dinner that Justice Davis held for the Chief Justices and their families. After an exhaustive search, Division of Finance Director Sue Troy found no invoices indicating that any State funds were used for Justice Davis' dinner in Jackson either.

Justice Loughry has asked that this be included as an item in the upcoming August 29th Administrative Conference, and I shall do so. Any policy or other implications can be discussed at that time.

Thank you.