

# WEST VIRGINIA CODE: §5-3-1

## **§5-3-1. Written opinions and advice and other legal services; expenditures by state officers, boards and commissions for legal services prohibited.**

The Attorney General shall give written opinions and advice upon questions of law, and shall prosecute and defend suits, actions, and other legal proceedings, and generally render and perform all other legal services, whenever required to do so, in writing, by the Governor, the Secretary of State, the Auditor, the state superintendent of free schools, the treasurer, the commissioner of agriculture, the board of public works, the Tax Commissioner, the state archivist and historian, the commissioner of banking, the Adjutant General, the director of the Division of Environmental Protection, the superintendent of public safety, the state commissioner of public institutions, the commissioner of the Division of Highways, the commissioner of the Bureau of Employment Programs, the Public Service Commission, or any other state officer, board or commission, or the head of any state educational, correctional, penal or eleemosynary institution; and it is unlawful from and after the time this section becomes effective for any of the public officers, commissions, or other persons above mentioned to expend any public funds of the State of West Virginia for the purpose of paying any person, firm, or corporation for the performance of any legal services: Provided, That nothing contained in this section impairs or affects any existing valid contracts of employment for the performance of legal services heretofore made.

It is also the duty of the Attorney General to render to the President of the Senate and/or the Speaker of the House of Delegates a written opinion or advice upon any questions submitted to the Attorney General by them or either of them whenever he or she is requested in writing so to do.