

# WEST VIRGINIA CODE: §50-1-12

## **§50-1-12. Conduct of office; penalty.**

Magistrates shall be subject to and shall abide by the code of judicial ethics as adopted and amended by the Supreme Court of Appeals. In addition to such conduct as may be regulated by the rules of the Supreme Court of Appeals, no magistrate, magistrate court clerk or magistrate court deputy clerk or magistrate assistant shall:

- (a) Acquire or hold any interest in any matter which is before the magistrate court;
- (b) Purchase, either directly or indirectly, any property being sold upon execution issued by the magistrate court;
- (c) Act as agent or attorney for any party in any proceeding in any magistrate court in the state; or
- (d) Engage in, or assist in, any remunerative endeavor, except the duties of his office, while on the premises of the magistrate court office.

Any person who violates the provisions of this section shall be guilty of official misconduct and shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$500.

Nothing contained in this section shall preclude a magistrate, magistrate court clerk, magistrate court deputy clerk, or magistrate assistant from being a party to an action in the magistrate court: Provided, That any action in which the magistrate court clerk is a party shall not be assigned to the chief magistrate nor shall any action in which a magistrate court deputy clerk or magistrate assistant is a party be assigned or heard by the magistrate for whom such magistrate assistant is employed or to whose court such deputy clerk is assigned.