WEST VIRGINIA CODE: §51-1-4A

§51-1-4a. Rules governing practice of law; creation of West Virginia State Bar; providing its powers, and fees for administration.

(a) The Supreme Court of Appeals of West Virginia shall, from time to time, prescribe, adopt, promulgate, and amend rules:

(1) Defining the practice of law;

(2) Prescribing a code of ethics governing the professional conduct of attorneys at law and the practice of law, and prescribing a code of judicial ethics;

(3) Prescribing procedure for disciplining, suspending, and disbarring attorneys at law;

(4) Organizing and governing by and through all of the attorneys at law practicing in this state, an administrative agency of the Supreme Court of Appeals of West Virginia, which shall be known as "The West Virginia State Bar." The West Virginia State Bar shall be a part of the judicial department of the state government and is hereby continued for the purpose of enforcing such rules prescribed, adopted and promulgated by the court from time to time under this section. It may perform the functions and purposes expressed in a Constitution, bylaws and amendments thereto that are approved by the Supreme Court of Appeals from time to time. All persons practicing law in this state shall be members of the West Virginia State Bar in good standing; and

(5) Fixing a schedule of fees to be paid by attorneys at law practicing in the State of West Virginia for the purpose of administering this section and providing for the collection and disbursement of the fees.

(b) The inherent rule-making power of the Supreme Court of Appeals is hereby declared.

(c) When and as the rules of the court authorized in this section are prescribed, adopted, and promulgated, all laws and parts of laws that conflict with the rules shall be and become of no further force or effect to the extent of such conflict.

(d) Records, files, or other documents gathered or provided pursuant to rules promulgated by the Supreme Court of Appeals relating to the procedures, referrals, and services of the West Virginia Judicial and Lawyer Assistance Program are not public records and are exempt from disclosure under the Freedom of Information Act as provided in §29B-1-1 *et seq*. of this code, to the extent those rules designate them as confidential.

WV Legislature