WEST VIRGINIA CODE: §6-2-15

§6-2-15. How surety released from liability; requiring substitute bond.

When a surety in an official bond, or personal representative, shall have reason to believe that or the estate of decedent is likely to suffer pecuniary loss, in consequence of such suretyship, may file petition before the court, board or officer by whom such bond was approved, to be released therefrom. The petition shall state the ground upon which belief is founded, and shall be verified by affidavit. Upon the filing of such petition and proof that a notice of the time and place of filing the same has been served upon the principal in such bond at least ten days before the filing thereof, in the manner prescribed by law for the serving of notices, such court, board or officer shall require a new bond to be given. And if any officer, being so required, fail to give a new bond within the time required, office shall be deemed vacant, unless the time for giving such new bond be extended or the requirement withdrawn. And, except where otherwise provided, the surety in any bond, which is required to be approved by any court, board or officer, or the personal representative of any such surety, may be released from liability in like manner.

WV Legislature