

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943



ENROLLED

HOUSE BILL No. 70

(By Mr. Hugus)



PASSED March 9, 1943

In Effect ninety days from Passage

10

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House Bill No. 70

(BY MR. HUGUS)

Passed March 9, 1943; in effect ninety days from passage.

AN ACT to amend article one, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new section to be numbered section four-a, providing for the adoption, promulgation and enforcement by the supreme court of appeals of West Virginia of rules and regulations defining the practice of law, prescribing a code of ethics governing the professional conduct of attorneys-at-law, and prescribing a code of judicial ethics, and establishing practice and procedure for disciplining, suspending, and disbarring attorneys-at-law, and providing for the creation, government, and conduct of the West Virginia state bar, and prescribing fees to be paid for the administration of this section and the collection and disbursement thereof.

Be it enacted by the Legislature of West Virginia:

That article one, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, be amended by adding thereto a new section to be numbered section four-a, to read as follows:

Article 1. Supreme Court of Appeals.

Section 4-a. *Rules and Regulations Governing the Practice of Law; Creation of West Virginia State Bar; Providing for Fees.*—The supreme court of Appeals of West Virginia shall, from time to time, prescribe, adopt, promulgate, and amend rules and regulations:

(a) Defining the practice of law.

(b) 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.

(c) Prescribing procedure for disciplining, suspending, and disbarring attorneys-at-law.

(d) Organizing and governing an association to be known as the West Virginia state bar, composed of attorneys-at-law of this state, to act as an administrative agency of the supreme court of appeals of West Virginia

16 for the purpose of enforcing such rules and regulations as
17 may be prescribed, adopted and promulgated by the court
18 from time to time under this section, and providing for
19 the government of the West Virginia state bar as a
20 part of the judicial department of the state government
21 and requiring all persons practicing law in this state to
22 be members thereof in good standing.

23 (e) Fixing a schedule of fees to be paid by members
24 of the West Virginia bar for the purpose of administering
25 this section, providing for the collection and disburse-
26 ment of such fees: *Provided, however,* That the annual
27 fees to be paid by any attorney-at-law shall not exceed the
28 sum of eight dollars.

29 When and as the rules and regulations of the court
30 herein authorized shall be prescribed, adopted, and pro-
31 mulgated, all laws and parts of laws that conflict there-
32 with shall be and become of no further force or effect
33 to the extent of such conflict.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Roy T. Quinn
Chairman Senate Committee

Amos H. Ruff
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

W. Lee Watkins
Clerk of the Senate

J. A. Slipp
Clerk of the House of Delegates

James Paell
President of the Senate

John E. Carson
Speaker House of Delegates

The within _____ this the _____

day of _____, 1943.

Governor.

1

Filed in the office of the Secretary of State
of West Virginia **MAR 17 1943**

Wm. S. O'BRIEN,
Secretary of State