

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945



ENROLLED

HOUSE BILL No. 308

Originating in the House Judiciary Committee
(By Mr. _____)



PASSED March 10 1945

In Effect From Passage

308

3-16

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House Bill No. 308

(Originating in the House Judiciary Committee.)

[Passed March 10, 1945; in effect from passage.]

AN ACT to amend article one, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by adding thereto four new sections to be designated sections fifteen, sixteen, seventeen and eighteen, creating the office of "Administrative Office of the Supreme Court of Appeals," and describing its powers and duties.

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, as last amended be amended by adding thereto four new sections numbered fifteen, sixteen, seventeen and eighteen to read as follows:

Section 15. *Administrative Office of the Supreme Court;*
2 *Director; Salary; Seal.*—There shall be and is hereby
3 established what shall be known as the "Administrative
4 Office of the Supreme Court of Appeals," with a director

5 at the head thereof, who shall be appointed by the supreme
6 court of appeals and hold office at the pleasure of and be
7 subject to removal by the aforesaid court. The director
8 shall receive an annual salary of five thousand dollars a
9 year. The director shall cause a seal of office to be made
10 for said office of such design as the supreme court of
11 appeals shall approve, and judicial notice shall be taken
12 of such seal.

Sec. 16. *Employees; Appointment; Compensation; Pro-*
2 *hibiting Practice in State Courts.*—The director, with the
3 approval of the supreme court of appeals, shall have au-
4 thority to appoint such employees as are deemed neces-
5 sary to perform the functions and duties vested in said
6 office by this act, and the director shall fix their compen-
7 sation. During his term of office or employment no
8 officer or employee of said office shall engage, directly
9 or indirectly, in the practice of law in any of the courts
10 of the state.

Sec. 17. *Directors; Duties.*—The director shall be the
2 administrative officer of the supreme court of appeals

3 and shall have charge, under the supervision and direc-
4 tion of the supreme court of appeals, of:

5 1. All administrative matters relating to the offices of
6 the clerks of the circuit and intermediary courts and of
7 the offices of justice of the peace, and all other clerical
8 and administrative personnel of said courts; but nothing
9 contained in this act shall be construed as affecting the
10 authority of the courts to appoint their administrative or
11 clerical personnel;

12 2. Examining the state of the dockets of the various
13 courts and securing information as to their needs for
14 assistance, if any, and the preparation of statistical data
15 and reports of the business transacted by the courts, and
16 promptly transmitting the information so obtained, quar-
17 terly, to the chairman of the judicial council;

18 3. The preparation of a proper budget to secure the
19 appropriation of moneys for the maintenance, support
20 and operation of the courts;

21 4. The purchase, exchange, transfer and distribution
22 of equipment and supplies, as may be needful or desir-
23 able;

24 5. To act as the executive secretary of the judicial
25 council and to report to the council upon such matters
26 as the council or the chairman may from time to time
27 request; and

28 6. Such other matters as may be assigned to him by the
29 supreme court of appeals and the judicial council. The
30 clerks of the circuit courts, intermediate courts and courts
31 of the justices of the peace shall comply with any and
32 all requests made by the director of his assistants for
33 information and statistical data bearing on the state of the
34 dockets of such courts, or such other information as may
35 reflect the business transacted by them.

Sec. 18. *Annual Report of Activities and Estimates of*
2 *Expenditures.*—The director shall submit annually to the
3 supreme court of appeals a report of the activities of the
4 administrative office and of the state of business of the
5 courts, together with the statistical data compiled by him,
6 with his recommendations.

7 All acts or parts of acts in conflict herewith are hereby
8 repealed.

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

Charles C Morris
Chairman Senate Committee

J. A. deGruyter Jr.
Chairman House Committee

Originated in the House

Takes effect from passage.

Howard T. Rogers
Clerk of the Senate

Phillips
Clerk of the House of Delegates

Amos W. Ticker
President of the Senate

John E. Amos
Speaker House of Delegates

The within Approved this the 16

day of March, 1945.

Oliver M. Moore
Governor.



Filed in the office of the Secretary of State
of West Virginia MAR 19 1945