

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 346

(By Mr. Stuaton)



PASSED March 8 1947

In Effect 90 days from Passage



346

ENROLLED

Senate Bill No. 346

(By MR. JOHNSTON, by request)

[Passed March 8, 1947; in effect ninety days from passage.]

AN ACT to amend and reenact sections fifteen, sixteen and seventeen, article one, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, relating to the administrative office of the supreme court of appeals and prescribing the powers and duties of the director thereof.

Be it enacted by the Legislature of West Virginia:

That chapter fifteen, sixteen, and seventeen, article one, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one as last amended be amended and re-enacted to read as follows:

Section 15. *Administrative Office of the Supreme Court; Director; Salary; Seal.*—There shall be and is hereby established an administrative office of the supreme court of appeals. The executive secretary of the judicial council shall be ex-officio director thereof and shall serve

6 as such director without additional compensation. The
7 director, when directed by the supreme court of appeals,
8 shall cause a seal of office to be made for said office of
9 such design as said court shall approve, and judicial no-
10 tice shall be taken of such seal.

Sec. 16. *Employees; Appointment; Compensation;*
2 *Prohibiting Practice in State Courts.*—The ex-officio di-
3 rector, with the approval of the supreme court of appeals,
4 shall have authority to appoint such employees as are
5 deemed necessary to perform the functions and duties
6 vested in said office by this act, and said court shall fix
7 their compensation. During his term of office or employ-
8 ment no officer or employee of said office shall engage,
9 directly or indirectly, in the practice of law in any of the
10 courts of the state.

Sec. 17. *Director; Duties.*—The director shall, when
2 authorized by the supreme court of appeals, be the admin-
3 istrative officer of said court and shall have charge, under
4 the supervision and direction of the supreme court of
5 appeals, of:

6 (a) All administrative matters relating to the offices

7 of the clerks of the circuit and intermediary courts and
8 of the office of justice of the peace, and all other clerical
9 and administrative personnel of said courts; but nothing
10 contained in this act shall be construed as affecting the
11 authority of the courts to appoint their administrative or
12 clerical personnel;

13 (b) Examining the state of the dockets of the various
14 courts and securing information as to their needs for as-
15 sistance, if any, and the preparation of statistical data
16 and reports of the business transacted by the courts.

17 (c) The preparation of a proper budget to secure the
18 appropriation of moneys for the maintenance, support
19 and operation of the courts;

20 (d) The purchase, exchange, transfer and distribution
21 of equipment and supplies, as may be needful or desire-
22 able;

23 (e) Such other matters as may be assigned to him by
24 the supreme court of appeals. The clerks of the circuit
25 courts, intermediate courts and courts of the justices of
26 the peace shall comply with any and all requests made
27 by the director or his assistants for information and

28 statistical data bearing on the state of the dockets of
29 such courts, or such other information as may reflect the
30 business transacted by them;

31 (f) *Annual Report of Activities and Estimates of Ex-*
32 *penditures.*—The director, when required to do so by the
33 supreme court of appeals, shall submit annually to the
34 court a report of the activities of the administrative office
35 and of the state of business of the courts, together with
36 the statistical data compiled by him, with his recommen-
37 dations.

38 All acts or parts of acts in conflict herewith are hereby
39 repealed.

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

Forest L. McKeer
Chairman Senate Committee

R. S. Matthews
Chairman House Committee

Originated in the Senate

Takes effect 90 days from passage.

Howard Nease
Clerk of the Senate

Joseph
Clerk of the House of Delegates

Arnold M. Vickers
President of the Senate

John E. Amos
Speaker House of Delegates

The within Approved this the 13
day of March, 1947.

Robert M. Harbo
Governor.



Filed in the Office of the Secretary of State
of West Virginia

MAR 13 1947

WM. S. O'BRIEN,
SECRETARY OF STATE