

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 402

(By Mr. Brotherton)



PASSED March 14, 1953

In Effect Twenty days from Passage



402

ENROLLED
House Bill No. 402

(By MR. BROTHERTON)

[Passed March 14, 1953; in effect ninety days from passage]

AN ACT to amend and reenact section thirty-seven, chapter twenty-five, acts of the Legislature, regular session, one thousand nine hundred seven, as amended, relating to the intermediate court of Kanawha county.

Be it enacted by the Legislature of West Virginia:

That section thirty-seven, chapter twenty-five, acts of the Legislature, regular session, one thousand nine hundred seven, as amended, be amended and reenacted to read as follows:

Section 37. *Probation Staff; Chief Probation Officer; Assistant Probation Officers; Clerical and Secretarial Assistants.*—The court is authorized and empowered to appoint such probation officers, assistant probation officers, clerical and secretarial assistants as shall enable the court to discharge all the duties required of it under the provision of this act and the general laws of the state. The judge

8 may appoint a chief probation officer, assistant probation
9 officers, and necessary clerical and secretarial assistants,
10 and other necessary assistants to be paid by the county
11 court. Such appointments shall be made by the judge and
12 the appointees shall serve during the pleasure of the
13 judge.

14 The chief probation officer shall receive as compensa-
15 tion for his or her services an annual salary of not less
16 than four thousand dollars nor more than fifty-four hun-
17 dred dollars, to be determined by the judge. Assistant
18 probation officers shall receive as compensation an annual
19 salary of not less than thirty-four hundred dollars nor
20 more than forty-eight hundred dollars, to be determined
21 by the judge. Clerical and secretarial assistants shall re-
22 ceive as compensation for his or her services an annual
23 salary of not less than eighteen hundred nor more than
24 thirty-four hundred dollars, to be determined by the judge.
25 In addition to the annual salary herein provided for the
26 chief probation officer and each assistant probation officer,
27 they shall be reimbursed by the county court by reason
28 of his or her necessary expenses actually incurred in the

29 performance of official duties, including an allowance of
30 seven cents a mile for his or her automobile driven in the
31 performance of official duties. The appointment of the
32 chief probation officer, assistant probation officers, clerical
33 and secretarial assistants when made by the judge shall
34 be entered by the order of the court. A copy of the order
35 of appointment shall be transmitted to the clerk of the
36 county court. Thereupon the county court shall make
37 provision for payment and shall pay the salaries of the
38 chief probation officer, the assistant probation officers,
39 clerical and secretarial assistants, as shown by the order
40 of appointment. The annual salaries provided for in said
41 order of appointment shall be paid in equal monthly in-
42 stallments. Expense and mileage accounts of the chief of
43 probation officers and assistant probation officers shall
44 be itemized and verified and presented to and paid by the
45 county court, if such accounts are approved by the judge.
46 The county court shall provide such office space, equip-
47 ment and supplies for the probation staff, clerical and
48 secretarial assistants as the judge shall deem necessary and
49 adequate: *Provided*, That the appointing judge shall first

50 obtain the approval of the county court of the expenses
51 to be incurred and the salaries to be paid the chief prob-
52 ation officer, assistant probation officers, clerical and sec-
53 retarial assistants, which approval shall be discretionary
54 with the county court and shall be required before any
55 appointment made hereunder becomes effective.

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

F. M. Kinley
Chairman Senate Committee

C. H. Hamblin
Chairman House Committee

Originated in the House of Delegates

Takes effect *ninety days from* passage.

J. Brown Thayer
Clerk of the Senate

J. H. H. H.
Clerk of the House of Delegates

Ralph Beane
President of the Senate

W. E. Flannery
Speaker House of Delegates

The within *approved* this the *20th*
day of *March*, 1953.

William C. Macland
Governor



FILE IN THE OFFICE OF THE SECRETARY OF STATE

of West Virginia **MAR 20 1953**

D. MITT O'BRIEN,

SECRETARY OF STATE