

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957



ENROLLED

HOUSE BILL No. 215

(By Mr. Bretterton)



PASSED February 19, 1957

In Effect July 1, 1957. Passage



ENROLLED
House Bill No. 215
(By MR. BROTHERTON)

[Passed February 19, 1957; in effect July 1, 1957.]

AN ACT to amend and reenact section thirty-seven, chapter twenty-five, acts of the Legislature, regular session, one thousand nine hundred seven, as last amended and reenacted by chapter one hundred eighty-nine, acts of the Legislature, regular session, one thousand nine hundred fifty-three, relating to the probation staff of 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 last amended and reenacted by chapter one hundred eighty-nine, acts of the Legislature, regular session, one thousand nine hundred fifty-three, be amended and reenacted to read as follows:

Section 37. Probation Staff: Probation Officers, Chief

2 *Probation Officer, Clerical and Secretarial Assistants.*—

3 The court is authorized and empowered to appoint such
4 probation officers, chief probation officer, clerical, secre-
5 tarial and psychiatric assistants as shall enable the court
6 to discharge all the duties required of it under the pro-
7 visions of this act and the general laws of the state. The
8 judge may appoint probation officers, chief probation
9 officer, necessary clerical and secretarial assistants and
10 other necessary assistants including a psychiatrist to be
11 paid by the county court. Such appointments shall be
12 made by the judge and the appointees shall serve during
13 the pleasure of the judge.

14 The probation officers shall receive as compensation an
15 annual salary of not less than four thousand two hundred
16 dollars nor more than six thousand dollars, to be deter-
17 mined by the judge. The chief probation officer shall re-
18 ceive as compensation an annual salary of not less than
19 four thousand eight hundred dollars nor more than seven
20 thousand two hundred dollars, to be determined by the
21 judge. In addition to the annual salaries herein provided
22 for the probation officers and the chief probation officer,

23 they shall be reimbursed by the county court their neces-
24 sary expenses actually incurred in the performance of
25 official duties, including a mileage allowance for their auto-
26 mobiles driven in the performance of their official duties,
27 the rate of which is to be fixed by the judge and approved
28 by the county court. The appointment of probation
29 officers, chief probation officer, clerical and secretarial
30 assistants, and other necessary help, including a psychia-
31 trist, when made by the judge shall be entered by the order
32 of the court. A copy of the order of appointment shall be
33 transmitted to the clerk of the county court. Thereupon
34 the county court shall make provisions for payment and
35 pay the salaries of said appointees as shown by the order
36 of appointment in equal monthly instalments. Expenses
37 and mileage accounts of the probation officers and chief
38 probation officer shall be itemized and verified and pre-
39 sented to and paid by the county court, if such accounts
40 are approved by the judge. The county court shall provide
41 such office space, equipment and supplies for the probation
42 staff, clerical and secretarial and psychiatric assistance as
43 the judge shall deem necessary and adequate: *Provided,*

44 That the appointing judge shall first obtain the approval of
45 the county court of the expenses to be incurred and the
46 salary to be paid any appointee, which approval shall be
47 discretionary with the county court and shall be required
48 before any appointment made hereunder becomes effec-
49 tive.

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

Sam H. Marchand
Chairman Senate Committee

P. F. Deem
Chairman House Committee

Originated in the House of Delegates

Takes effect *July 1, 1957.* ~~passage.~~

Abner Thayer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Ray J. Bean
President of the Senate

W. H. Fleming
Speaker, House of Delegates

The within *approved* this the *28th*
day of *February*, 1957.

Jeff. Henderson
Governor



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

MAR 1 - 1957

D. PITT O'BRIEN
SECRETARY OF STATE