

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 190

(By Mr. Martin)

PASSED March 12, 1965

In Effect Twenty days from Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65

061#

ENROLLED

Senate Bill No. 190

(By MR. MARTIN)

[Passed March 12, 1965; in effect ninety days from passage.]

AN ACT to amend article ten, chapter fifty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section seven, relating to the holding of hearings and entering of orders in any county of a circuit court.

Be it enacted by the Legislature of West Virginia:

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

Section 7. Judicial Circuits; Holding Hearings and Entering Orders in Any County Thereof.—In any (a) appeal
2 from or to review the judgment, order or ruling of any
3

4 court of record or administrative agency, (b) appeal from
5 a justice of the peace court, (c) ex parte proceeding, (d)
6 adoption proceeding, (e) change of name proceeding,
7 (f) summary procedure or proceeding, (g) eminent do-
8 main proceeding, (h) juvenile proceeding, (i) action
9 wherein an extraordinary remedy is sought, such as man-
10 damus prohibition, certiorari, habeas corpus, quo war-
11 ranto, or information in the nature of quo warranto, and
12 (j) civil action instituted under the rules of civil pro-
13 cedure for trial courts of record, the judge of a judicial
14 circuit may hold hearings, including but not limited to
15 pre-trial conferences, and enter orders in any county of
16 his circuit although he is not physically present in the
17 county in which such action, appeal or proceeding was
18 instituted or is pending, unless there is objection thereto
19 in writing, filed by one of the parties prior to such hear-
20 ing or the entry of such order: *Provided*, That in any ap-
21 peal, action or proceeding in which a jury trial has been
22 demanded or exists as a matter of right, trial by jury shall
23 be held only in the county wherein such appeal, action
24 or proceeding is pending.

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

A. Ray Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *Ninety days* Passage.
Howard Keyes
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Gibson
President of the Senate

H. Lebau White
Speaker House of Delegates

The within *Approved* this the *18th*
day of *March*, 1965.

Frederic C. Smith
Governor