

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 1049

(By Mr. ROMINE AND MR. WHITE OF CABELL)



PASSED MARCH 12. 1971

In Effect JULY 1, 1971 Passage



1049
6701

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House Bill No. 1049
(By MR. ROMINE and MR. WHITE, of Cabell)

[Passed March 12, 1971; in effect July 1, 1971.]

AN ACT to amend and reenact section two, chapter one hundred sixty-eight, acts of the Legislature, regular session, one thousand nine hundred twenty-one, as last amended and reenacted by chapter thirty-four, acts of the Legislature, regular session, one thousand nine hundred seventy, relating to the jurisdiction of the domestic relations court of Cabell county; relating to such court generally; and relating to the salaries of the chief probation officer and probation officer of such court.

Cabell county only

Be it enacted by the Legislature of West Virginia:

That section two, chapter one hundred sixty-eight, acts of the Legislature, regular session, one thousand nine hundred twenty-one, as last amended and reenacted by chapter thirty-four, acts of the Legislature, regular session, one thousand

nine hundred seventy, be amended and reenacted to read as follows:

DOMESTIC RELATIONS COURT OF CABELL COUNTY.

§2. Jurisdiction.

1 The said domestic relations court shall have jurisdiction
2 within the said county of Cabell, concurrent with the
3 circuit court, of all matters and causes arising out of
4 or pertaining to annulment of marriages, separate main-
5 tenance suits, divorce, alimony, the custody and main-
6 tenance of children of litigants and the adjudication of
7 property rights arising out of the same, and all other
8 matters and causes coming within the purview of chap-
9 ter forty-eight of the code of West Virginia, one thou-
10 sand nine hundred thirty-one, and all amendments and
11 reenactments thereof concerning domestic relations,
12 habeas corpus proceedings; of all matters and causes
13 coming within the purview of chapter forty-nine of the
14 code of West Virginia, one thousand nine hundred thirty-
15 one, as enacted by chapter one, acts of the Legislature
16 of West Virginia, one thousand nine hundred thirty-six,
17 and of all amendments and reenactments thereof, com-

18 monly known as the child welfare law; of all matters and
19 causes coming within the purview of chapter eighteen
20 of the code of West Virginia, one thousand nine hundred
21 thirty-one, and all amendments and reenactments thereof,
22 commonly called the general school law; of all matters
23 and causes coming within the purview of chapter forty-
24 eight of the code of West Virginia, one thousand nine
25 hundred thirty-one, and of all amendments and reenact-
26 ments thereof, commonly known as the reciprocal de-
27 pendency law; of all matters and causes coming within
28 the purview of chapter forty-eight of the code of West
29 Virginia, one thousand nine hundred thirty-one, and all
30 amendments and reenactments thereof, commonly known
31 as the adoption law; and of all matters and causes com-
32 ing within the purview of chapter forty-eight of the code
33 of West Virginia, one thousand nine hundred thirty-one,
34 and of all amendments and reenactments thereof, com-
35 monly known as the change of name law; and of all mat-
36 ters and causes coming within the purview of chapter
37 forty-eight of the code of West Virginia, one thousand
38 nine hundred thirty-one, and of all amendments and

39 reenactments thereof, commonly known as the main-
40 tenance of illegitimate children law; and of all matters
41 and causes coming within the purview of chapter forty-
42 four, article ten, section fourteen of the code of West
43 Virginia, one thousand nine hundred thirty-one, and of
44 all amendments and reenactments thereof, commonly
45 known as the approval of the compromising of infants'
46 claims for damages; and of all matters and causes coming
47 within the purview of chapter forty-eight, article one,
48 section six-c of the code of West Virginia, one thousand
49 nine hundred thirty-one, and of all amendments and re-
50 enactments thereof, commonly known as the issuance of
51 marriage license in case of emergency or extraordinary
52 circumstances; and of all matters and causes coming
53 within the purview of chapter thirty-seven of the code
54 of West Virginia, one thousand nine hundred thirty-one,
55 and of all amendments and reenactments thereof, com-
56 monly known as the approval of the sale, lease or mort-
57 gage of infants' lands; and of all matters and causes
58 coming within the purview of chapter sixty-one, article
59 seven, section two, commonly known as license to carry

60 weapons; how obtained; and shall have concurrent with
61 the circuit court of Cabell county, supervision and con-
62 trol of proceedings before justices and other inferior
63 tribunals by mandamus, prohibition and certiorari, and
64 of all matters and causes coming within the purview of all
65 other or future acts of the Legislature touching the sub-
66 ject matter of any and all said laws and acts, and the
67 amendments and reenactments thereof, and of the com-
68 mon law of said state relating to the subject matter
69 thereof. Independently of any of the foregoing matters,
70 the said domestic relations court shall also have and is
71 hereby given what was heretofore recognized as general
72 equity jurisdiction concurrent with the circuit court, ex-
73 cepting in cases involving the enforcement of criminal
74 laws and labor disputes, and excepting cases where it
75 shall appear from the pleadings that the matter or thing
76 in controversy exceeds in value the sum of three hun-
77 dred fifty thousand dollars. The proceedings and modes
78 of procedure and power and jurisdiction conferred by law
79 upon the circuit court or the common pleas court in any
80 and all of said matters and causes are hereby conferred

81 upon and shall be exercised by said domestic relations
82 court.

83 The court is authorized and empowered to appoint and
84 discharge one chief probation officer at a yearly salary of
85 nine thousand seven hundred fifty dollars and a proba-
86 tion officer at a yearly salary of nine thousand five hun-
87 dred dollars, which said salaries shall be paid by the
88 county court monthly, and in addition thereto the said
89 county court shall reimburse the said probation officers
90 of their necessary expenses actually incurred monthly
91 in the performance of official duties including an allow-
92 ance of ten cents per mile for their automoblie driven
93 in the performance of official duties. The court is further
94 authorized and empowered to appoint and discharge such
95 medical, clerical and secretarial assistance as shall enable
96 it to discharge all of the duties required of it under the
97 provisions of this act and the general laws of the state
98 and such person or persons shall be paid by the county
99 court monthly upon the written approval of the judge
100 of the said court.

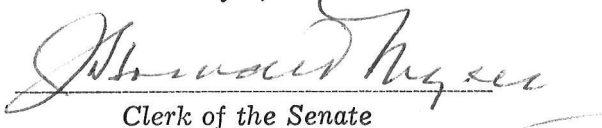
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

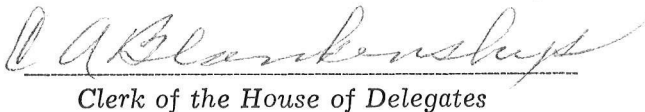

Chairman Senate Committee


Chairman House Committee

Originated in the House.




Takes effect July 1, 1971.



Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within  this the 
day of , 1971.


Governor

PRESENTED TO THE
GOVERNOR

Date 3/16/71

Time 1:25 p.m.