

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1971



ENROLLED

*Committee Substitute*

*for*  
HOUSE BILL No. 700

*Originating in the Committee*  
(By Mr. *on the Judiciary*)



PASSED March 13 1971

In Effect ninety days from Passage



700

FILED IN THE OFFICE  
JOHN D. COMPTON, IV  
SECRETARY OF STATE  
THIS DATE 4-2-71

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 700**

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(Originating in the Committee on the Judiciary)

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[Passed March 13, 1971; in effect July 1, 1971.]

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AN ACT to amend and reenact section one, article two, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article two by adding thereto two new sections, designated sections one-ff and one-gg, relating to judicial circuits; creating two replica judicial circuits; relating to the appointment, election and terms of the judges of such two replica judicial circuits; and relating to the terms of court of such replica judicial circuits.

*Be it enacted by the Legislature of West Virginia:*

That section one, article two, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one,

as amended, be amended and reenacted; and that said article two be further amended by adding thereto two new sections, designated sections one-ff and one-gg, all to read as follows:

**ARTICLE 2. CIRCUIT COURTS; CIRCUIT, CRIMINAL AND INTERMEDIATE JUDGES.**

**§51-2-1. Judicial circuits; election and terms of judges; terms of court.**

1 The state shall be divided into judicial circuits as  
2 follows: The counties of Brooke, Hancock and Ohio  
3 shall constitute the first circuit; the counties of Marshall,  
4 Tyler and Wetzel shall constitute the second circuit; the  
5 counties of Doddridge, Pleasants and Ritchie shall consti-  
6 tute the third circuit; the counties of Wood and Wirt  
7 shall constitute the fourth circuit; the counties of Cal-  
8 houn, Jackson and Roane shall constitute the fifth cir-  
9 cuit; the county of Cabell shall constitute the sixth cir-  
10 cuit; the county of Logan shall constitute the seventh  
11 circuit; the county of McDowell shall constitute the  
12 eighth circuit; the county of Mercer shall constitute the  
13 ninth circuit; the county of Raleigh shall constitute the  
14 tenth circuit; the counties of Greenbrier, Monroe, Poca-  
15 hontas and Summers shall constitute the eleventh circuit;

16 the county of Fayette shall constitute the twelfth circuit;  
17 the county of Kanawha shall constitute the thirteenth  
18 circuit; the counties of Braxton, Clay, Gilmer and Web-  
19 ster shall constitute the fourteenth circuit; the county of  
20 Harrison shall constitute the fifteenth circuit; the county  
21 of Marion shall constitute the sixteenth circuit; the coun-  
22 ty of Monongalia shall constitute the seventeenth cir-  
23 cuit; the county of Preston shall constitute the eighteenth  
24 circuit; the counties of Barbour and Taylor shall con-  
25 stitute the nineteenth circuit; the county of Randolph  
26 shall constitute the twentieth circuit; the counties of  
27 Grant, Mineral and Tucker shall constitute the twenty-  
28 first circuit; the counties of Hampshire, Hardy and Pen-  
29 dleton shall constitute the twenty-second circuit; the  
30 counties of Berkeley, Jefferson and Morgan shall con-  
31 stitute the twenty-third circuit; the county of Wayne  
32 shall constitute the twenty-fourth circuit; the counties  
33 of Lincoln and Boone shall constitute the twenty-fifth  
34 circuit; the counties of Lewis and Upshur shall constitute  
35 the twenty-sixth circuit; the county of Wyoming shall  
36 constitute the twenty-seventh circuit; the county of

37 Nicholas shall constitute the twenty-eighth circuit; the  
38 counties of Mason and Putnam shall constitute the  
39 twenty-ninth circuit; the county of Mingo shall constitute  
40 the thirtieth circuit; the counties of Berkeley, Jefferson  
41 and Morgan shall constitute the thirty-first circuit; and  
42 the counties of Braxton, Clay, Gilmer and Webster shall  
43 constitute the thirty-second circuit; and the counties  
44 of Mineral, Grant and Tucker shall constitute the thirty-  
45 third circuit.

46 There shall be elected on the Tuesday next after the  
47 first Monday in November, one thousand nine hundred  
48 sixty-eight, and every eighth year thereafter, one judge  
49 in each of the circuits herein constituted, except for the  
50 first circuit there shall be two judges elected: *Provided,*  
51 That the judge of the thirty-second circuit and the judge  
52 of the thirty-third circuit shall be elected on the Tues-  
53 day next after the first Monday in November, one  
54 thousand nine hundred seventy-two, and every eighth  
55 year thereafter.

56 Within thirty days after the provisions of this section  
57 became effective the governor shall appoint a judge for  
58 the thirty-second circuit and a judge for the thirty-

59 third circuit in the same manner as appointments are  
60 made to fill vacancies in such offices. Each such judge  
61 shall serve until his successor is elected and qualified.

62 The terms of the several circuit judges of the counties  
63 aforesaid shall commence and be held each year as here-  
64 inafter provided.

**§51-2-1ff. Thirty-second circuit.**

1 For the county of Braxton on the first Monday in  
2 February, June and October.

3 For the county of Clay on the third Monday in March,  
4 July and November.

5 For the county of Gilmer on the first Monday in March,  
6 July and November.

7 For the county of Webster on the first Monday in  
8 January, May and September.

**§51-2-1gg. Thirty-third Circuit.**

1 For the county of Mineral on the first Monday in  
2 February, June and October.

3 For the county of Grant on the third Monday in  
4 March, July and November.

5 For the county of Tucker on the first Monday in Jan-  
6 uary, May and September.

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

Russell G. Beall  
Chairman Senate Committee

Phyllis J. Rutledge  
Chairman House Committee

Originated in the House.

Takes effect July 1, 1971.

Thomas Keyser  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

E. Hans McEwen  
President of the Senate

Leedie N. McManus  
Speaker House of Delegates

The within approved this the 1<sup>st</sup>  
day of April, 1971.

Arch A. Shaw, Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/22/71  
Time 12 noon

RECEIVED

APR 2 11 54 PM '71

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA