WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995

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ENROLLED

SENATE BILL NO. 248

(By Senators Bowman and Whitehead)

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PASSED March 9, 1995

In Effect From Passage
ENROLLED
Senate Bill No. 248
(BY SENATORS BOWMAN AND WHITLOW)

[Passed March 9, 1995; in effect from passage.]

AN ACT to amend and reenact section nine-a, article one, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to raising the cap on the number of deputy clerks from fifty-four to fifty-seven.

Be it enacted by the Legislature of West Virginia:

That section nine-a, article one, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. COURTS AND OFFICERS.
§50-1-9a. Magistrate court deputy clerks; salary; duties.

1 Whenever required by workload and upon the recommendation of the judge of the circuit court, or the chief judge thereof if there is more than one judge of the circuit court, the supreme court of appeals may by rule provide for the appointment of magistrate court deputy
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clerks, not to exceed fifty-seven in number. Such
magistrate court deputy clerks shall be appointed by the
judge of the circuit court, or the chief judge thereof if
there is more than one judge of the circuit court, with
such appointee to serve at his will and pleasure under
the immediate supervision of the magistrate court clerk.

Such magistrate court deputy clerk shall have such
duties, clerical or otherwise, as may be assigned by the
magistrate court clerk and as may be prescribed by the
rules of the supreme court of appeals or the judge of the
circuit court, or the chief judge thereof if there is more
than one judge of the circuit court. Such magistrate
court deputy clerks shall also have authority to exercise
the power and perform the duties of the magistrate court
clerk as may be delegated or assigned by such magistrate
court clerk.

Such magistrate court deputy clerk shall not be a
member of the immediate family of any magistrate,
magistrate court clerk, magistrate assistant or circuit
court judge within the same county, shall not have been
convicted of a felony or any misdemeanor involving
moral turpitude and shall reside in the state of West
Virginia. For the purpose of this section, “immediate
family” shall mean the relationships of mother, father,
sister, brother, child or spouse.

Magistrate court deputy clerks shall be paid a monthly
salary by the state. Such salary shall be paid on the
same basis and in the same applicable amounts as for
magistrate assistants in each county as provided in
section nine of this article.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved... this the... day of... 1995.

Governor