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OFFICE WEST VIRGINIA SECRETARY OF STATE

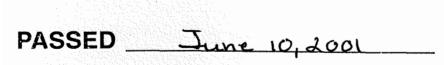
WEST VIRGINIA LEGISLATURE

3rd Extraordinary Session, 2001

ENROLLED

SENATE BILL NO. 3001

(By Senators Tombin, Mr. President, and) Sprouse, By Request of the Elecutives



In Effect _____ Passage

FILED

2001 JUN 15 P 4:49

OFFICE WEST VIRGINIA SECRETARY OF STATE

ENROLLED Senate Bill No. 3001

(By Senators Tomblin, Mr. President, and Sprouse, By Request of the Executive)

[Passed June 10, 2001; 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 increasing the number of magistrate court deputy clerks authorized for appointment to office.

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; duties; salary.

- 1 (a) Whenever required by workload and upon the 2 recommendation of the judge of the circuit court, or the
- 3 chief judge of the circuit court if there is more than one

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4 judge of the circuit court, the supreme court of appeals
5 may, by rule, provide for the appointment of magistrate
6 court deputy clerks, not to exceed sixty-two in number.
7 The magistrate court deputy clerks shall be appointed by
8 the judge of the circuit court, or the chief judge if there is
9 more than one judge of the circuit court, to serve at his or
10 her will and pleasure under the immediate supervision of

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11 the magistrate court clerk.

12(b) Magistrate court deputy clerks shall have the duties, 13 clerical or otherwise, as may be assigned by the magistrate 14 court clerk and as may be prescribed by the rules of the supreme court of appeals or the judge of the circuit court 15 16 or the chief judge if there is more than one judge of the circuit court. Magistrate court deputy clerks may also 17 18 exercise the power and perform the duties of the magistrate court clerk as may be delegated or assigned by the 19 magistrate court clerk. 20

21(c) A magistrate court deputy clerk may not be an 22immediate family member of any magistrate, magistrate 23court clerk, magistrate assistant or judge of the circuit court within the same county, may not have been con-2425victed of a felony or any misdemeanor involving moral 26turpitude and must reside in this state. For purposes of 27this subsection, "immediate family member" means a 28mother, father, sister, brother, child or spouse.

(d) Magistrate court deputy clerks shall be paid a
monthly salary by the state on the same basis and in the
same amounts established for magistrate assistants in each
county, as provided in section nine of this article.

[Enr. S. B. No. 3001 The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled. Chairman Sengte Committee Ł and Chairman House Committee Originated in the Senate. In effect from passage. Assistant Clerk of the Senate Clerk of the House of Delegates President of the Senate Speaker House of Delegates \ldots this the $\int \mathcal{E}$ The within. JUN Day of Governor ® GCIU 326-C

PRESENTED TO THE GOVERNOR 6/13/01 Date. 2:53 Time_

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