WEST VIRGINIA LEGISLATURE  
SECOND REGULAR SESSION, 2006  

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ENROLLED  

House Bill No. 2016  
(By Delegates Stalnaker, Williams, Varner, Beane, Ennis, Campbell and Michael)  

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Passed March 10, 2006  
In Effect Ninety Days from Passage
AN ACT to amend and reenact §50-1-9a of the code of West Virginia, 1931, as amended, relating to the administration of magistrate courts generally; increasing the maximum number of magistrate court deputy clerks that may be appointed from sixty-two to seventy-two; and providing that magistrate court deputy clerks be paid on an annual basis.

Be it enacted by the Legislature of West Virginia:

That §50-1-9a of the code of West Virginia, 1931, 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 recommendation of the judge of the circuit court, or the chief judge of the circuit court 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 clerks, not to exceed
seventy-two in number. The magistrate court deputy clerks
shall be appointed by the judge of the circuit court, or the chief
judge if there is more than one judge of the circuit court, to
serve at his or her will and pleasure under the immediate
supervision of the magistrate court clerk.

(b) Magistrate court deputy clerks shall have the 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 if there is more than one judge of the circuit
court. Magistrate court deputy clerks may also exercise the
power and perform the duties of the magistrate court clerk as
may be delegated or assigned by the magistrate court clerk.

(c) A magistrate court deputy clerk may not be an immediate
family member of any magistrate, magistrate court clerk,
magistrate assistant or judge of the circuit court within the same
county, may not have been convicted of a felony or any
misdemeanor involving moral turpitude and must reside in this
State. For purposes of this subsection, “immediate family
member” means a mother, father, sister, brother, child or
spouse.

(d) Magistrate court deputy clerks shall be paid an annual
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.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 31st day of January, 2006.

Governor