

COMMITTEE SUBSTITUTE

FOR

H. B. 3157

(BY DELEGATES MILEY AND ROWAN)

(Originating in the Committee on Finance)
[February 23, 2012]

A BILL to amend and reenact §51-2A-3 of the Code of West Virginia, 1931, as amended, relating to providing for an additional family court judge for the twenty-third family court district.

Be it enacted by the Legislature of West Virginia:

That §51-2A-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2A. FAMILY COURTS.

§51-2A-3. Number of family court judges; assignment of family court judges by family court circuits.

- 1 (a) Until the first day of January, two thousand nine a total
- 2 of thirty-five family court judges shall serve throughout the state.

3 (b) Until the first day of January, two thousand nine, the
4 state shall be divided into twenty-six family court circuits
5 with the family court judges allocated as follows:

6 (1) The counties of Brooke, Hancock and Ohio constitute
7 the first family court circuit and have two family court
8 judges;

9 (2) The counties of Marshall, Wetzel and Tyler constitute
10 the second family court circuit and have one family court
11 judge;

12 (3) The counties of Pleasants, Ritchie, Wood and Wirt
13 constitute the third family court circuit and have two family
14 court judges;

15 (4) The counties of Doddridge, Roane, Calhoun and
16 Gilmer constitute the fourth family court circuit and have one
17 family court judge;

18 (5) The counties of Mason and Jackson constitute the
19 fifth family court circuit and have one family court judge;

20 (6) The county of Cabell constitutes the sixth family court
21 circuit and has two family court judges;

22 (7) The county of Wayne constitutes the seventh family
23 court circuit and has one family court judge;

24 (8) The county of Mingo constitutes the eighth family
25 court circuit and has one family court judge;

26 (9) The county of Logan constitutes the ninth family
27 court circuit and has one family court judge;

28 (10) The counties of Lincoln and Boone constitute the
29 tenth family court circuit and have one family court judge;

30 (11) The county of Kanawha constitutes the eleventh
31 family court circuit and has four family court judges;

32 (12) The counties of McDowell and Mercer constitute the
33 twelfth family court circuit and have two family court judges;

34 (13) The counties of Raleigh and Wyoming constitute the
35 thirteenth family court circuit and have two family court
36 judges;

37 (14) The counties of Fayette and Summers constitute the
38 fourteenth family court circuit and have one family court
39 judge;

40 (15) The counties of Greenbrier and Monroe constitute
41 the fifteenth family court circuit and have one family court
42 judge;

43 (16) The counties of Clay, Nicholas and Webster
44 constitute the sixteenth family court circuit and have one
45 family court judge;

46 (17) The counties of Braxton, Lewis and Upshur
47 constitute the seventeenth family court circuit and have one
48 family court judge;

49 (18) The county of Harrison constitutes the eighteenth
50 family court circuit and has one family court judge;

51 (19) The county of Marion constitutes the nineteenth
52 family court circuit and has one family court judge;

53 (20) The county of Monongalia constitutes the twentieth
54 family court circuit and has one family court judge;

55 (21) The counties of Barbour, Preston and Taylor
56 constitute the twenty-first family court circuit and have one
57 family court judge;

58 (22) The counties of Grant, Tucker and Randolph
59 constitute the twenty-second family court circuit and have
60 one family court judge;

61 (23) The counties of Mineral, Hampshire and Morgan
62 constitute the twenty-third family court circuit and have one
63 family court judge;

64 (24) The counties of Berkeley and Jefferson constitute the
65 twenty-fourth family court circuit and have two family court
66 judges;

67 (25) The counties of Hardy, Pendleton and Pocahontas
68 constitute the twenty-fifth family court circuit and have one
69 family court judge; and

70 (26) The county of Putnam constitutes the twenty-sixth
71 family court circuit and has one family court judge.

72 (c) Beginning on the first day of January, two thousand
73 nine, the family court circuits shall be realigned and adjusted
74 to add an additional ten family court judges, so that a total of
75 forty-five family court judges shall serve throughout the state;

76 Provided, That beginning on the first day of January, two

77 thousand thirteen, the total number of family court judges
78 shall be forty-six, allocated among a total of twenty-seven
79 family court circuits as follows:

80 (1) The counties of Brooke, Hancock and Ohio shall
81 constitute the first family court circuit and have two family
82 court judges;

83 (2) The counties of Marshall, Wetzel and Tyler shall
84 constitute the second family court circuit and have one family
85 court judge;

86 (3) The counties of Pleasants and Wood shall constitute the
87 third family court circuit and have two family court judges;

88 (4) The counties of Roane, Calhoun, Gilmer and Ritchie
89 shall constitute the fourth family court circuit and have one
90 family court judge;

91 (5) The counties of Mason, Jackson and Wirt shall
92 constitute the fifth family court circuit and have two family
93 court judges;

94 (6) The county of Cabell shall constitute the sixth family
95 court circuit and have two family court judges;

96 (7) The county of Wayne shall constitute the seventh
97 family court circuit and have one family court judge;

98 (8) The county of Mingo shall constitute the eighth
99 family court circuit and have one family court judge;

100 (9) The county of Logan shall constitute the ninth family
101 court circuit and have two family court judges;

102 (10) The counties of Lincoln and Boone shall constitute
103 the tenth family court circuit and have two family court
104 judges;

105 (11) The county of Kanawha shall constitute the eleventh
106 family court circuit and have five family court judges;

107 (12) The counties of McDowell and Mercer shall
108 constitute the twelfth family court circuit and have three
109 family court judges;

110 (13) The counties of Raleigh, Summers and Wyoming
111 shall constitute the thirteenth family court circuit and have
112 three family court judges;

113 (14) The county of Fayette shall constitute the fourteenth
114 family court circuit and have one family court judge;

115 (15) The counties of Greenbrier and Monroe shall
116 constitute the fifteenth family court circuit and have one
117 family court judge;

118 (16) The counties of Clay and Nicholas shall constitute the
119 sixteenth family court circuit and have one family court judge;

120 (17) The counties of Braxton, Lewis and Upshur shall
121 constitute the seventeenth family court circuit and have one
122 family court judge;

123 (18) The counties of Harrison and Doddridge shall
124 constitute the eighteenth family court circuit and have two
125 family court judges;

126 (19) The county of Marion shall constitute the nineteenth
127 family court circuit and have one family court judge;

128 (20) The counties of Monongalia and Preston shall
129 constitute the twentieth family court circuit and have two
130 family court judges;

131 (21) The counties of Barbour and Taylor shall constitute
132 the twenty-first family court circuit and have one family court
133 judge;

134 (22) The counties of Tucker and Randolph shall
135 constitute the twenty-second family court circuit and have
136 one family court judge;

137 (23) The counties of Mineral, Hampshire and Morgan
138 shall constitute the twenty-third family court circuit and have
139 one family court judge: Provided, That effective January 1,
140 2013, this family court circuit will have two family court
141 judges;

142 (24) The counties of Berkeley and Jefferson shall
143 constitute the twenty-fourth family court circuit and have
144 three family court judges;

145 (25) The counties of Hardy, Pendleton and Grant shall
146 constitute the twenty-fifth family court circuit and have one
147 family court judge;

148 (26) The county of Putnam shall constitute the twenty-sixth
149 family court circuit and have one family court judge; and

150 (27) The counties of Webster and Pocahontas shall
151 constitute the twenty-seventh family court circuit and have
152 one family court judge.

153 (d) The Legislature has the authority and may determine
154 to realign the family court circuits and has the authority and
155 may determine to increase or decrease the number of family
156 court judges within a family court circuit, from time to time.
157 Any person appointed or elected to the office of family court
158 judge acknowledges the authority of the Legislature to
159 realign family court circuits and the authority of the
160 Legislature to increase or decrease the number of family
161 court judges within a family court circuit.