

H. B. 2108

(By Delegate Howell, Evans, A., Cowles, Blair and Rowan)

[Introduced January 20, 2015; referred to the

Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §51-2A-3 of the Code of West Virginia, 1931, as amended, relating to courts and their officers; family courts; and adding one family court judge to the twenty-third family court circuit.

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.

(a) Until January 1, 2009, a total of thirty-five family court judges shall serve throughout the state.

(b) Until January 1, 2009, the state shall be divided into twenty-six family court circuits with the family court judges allocated as follows:

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

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

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

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

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

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

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

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

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

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

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

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

3 (13) The counties of Raleigh and Wyoming constitute the thirteenth family court circuit and
4 have two family court judges;

5 (14) The counties of Fayette and Summers constitute the fourteenth family court circuit and
6 have one family court judge;

7 (15) The counties of Greenbrier and Monroe constitute the fifteenth family court circuit and
8 have one family court judge;

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

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

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

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

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

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

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

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

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

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

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

9 (c) Beginning on January 1, 2009, the family court circuits shall be realigned and adjusted
10 to add an additional ten family court judges, so that a total of ~~forty-five~~ forty-six family court judges
11 shall serve throughout the state, allocated among a total of twenty-seven family court circuits as
12 follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (23) The counties of Mineral, Hampshire and Morgan shall constitute the twenty-third family
14 court circuit and have one family court judge: Provided, That beginning July 1, 2015, the
15 twenty-third family court circuit shall have two family court judges;

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

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

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

22 (27) The counties of Webster and Pocahontas shall constitute the twenty-seventh family court

1 circuit and have one family court judge.

2 (d) The Legislature has the authority and may determine to realign the family court circuits
3 and has the authority and may determine to increase or decrease the number of family court judges
4 within a family court circuit, from time to time. Any person appointed or elected to the office of
5 family court judge acknowledges the authority of the Legislature to realign family court circuits and
6 the authority of the Legislature to increase or decrease the number of family court judges within a
7 family court circuit.

NOTE: The purpose of this bill is to add one family court judge to the twenty-third family court circuit, comprising the counties of Mineral, Hampshire and Morgan.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.