

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **Senate Bill 561**

BY SENATORS TRUMP AND RUCKER

[Introduced February 02, 2022; referred  
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §50-1-2a, relating to increasing the number of magistrate judges in Berkeley  
 3 County; providing legislative findings; increasing allowable number of magistrate judges  
 4 in Berkeley County by a certain effective date; and providing for initial appointment.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. COURTS AND OFFICERS.**

**§50-1-2a. Addition of magistrate in Berkeley County.**

1 (a) The Legislature hereby finds that, according to the statistics compiled by the  
 2 administrative office of the Supreme Court of Appeals of West Virginia, the caseload in the  
 3 magistrate court of Berkeley County in the year 2020 was as follows:

4 Civil cases: 4,139  
 5 Criminal cases: 7,782  
 6 Total: 11,921

7 With five elected magistrates in Berkeley County, each magistrate had a caseload of 2,384  
 8 cases in 2020. This caseload per magistrate is substantially higher than the statewide average  
 9 total caseload per magistrate (957) and is higher than the caseload per magistrate in any other  
 10 county in West Virginia in 2020.

11 (b) Notwithstanding any other provisions of this article to the contrary, the allowable  
 12 number of magistrates serving in the county of Berkeley as of March 1, 2022, shall be increased  
 13 by one, effective July 1, 2022. The initial appointment for the position shall be made in accordance  
 14 with the provisions of §50-1-6 of this code.

NOTE: The purpose of this bill is to increase the number of magistrate judges in Berkeley County by one effective July 1, 2022.

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