

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4580

By Delegate Dean

[Introduced January 10, 2024; Referred to
the Committee on the Judiciary]

1 A BILL to amend and reenact §30-2-1 of the Code of West Virginia, 1931, as amended, relating to
 2 admission to the practice of law; permitting persons with master’s degrees, regardless of
 3 the course of study, to take an examination for admission to practice law in the courts of
 4 this state, and deleting obsolete language.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. ATTORNEYS-AT-LAW.

§30-2-1. Certificate of good moral character; examination of applicants for license; licenses.

1 Any person desiring to obtain a license to practice law in the courts of this state shall
 2 appear before the circuit court of the county in which he or she has resided for the last preceding
 3 year and prove to the satisfaction of the court, or to the satisfaction of a committee of three
 4 attorneys practicing before the court, appointed by the court, that he or she is a person of good
 5 moral character, that he or she is eighteen years of age, and that he or she has resided in such
 6 county for one year next preceding the date of his or her appearance; and upon the presentation of
 7 such proof, the court shall enter an order on its record accordingly. The Supreme Court of Appeals
 8 shall prescribe and publish rules and regulations for the examination of all applicants for admission
 9 to practice law, which shall include the period of study and degree of preparation required of
 10 applicants previous to being admitted, as well as the method of examinations, whether by the court
 11 or otherwise: Provided, That the rules and regulations for admission to practice law shall provide
 12 that any person who has a diploma for a master's degree, regardless of the course of study, may
 13 take the examination for qualification to practice law in the courts of this state. And the Supreme
 14 Court of Appeals may, upon the production of a duly certified copy of the order of the circuit court,
 15 hereinbefore mentioned, and upon being satisfied that the applicant has shown, upon an
 16 examination conducted in accordance with such rules and regulations, that he or she is qualified to
 17 practice law in the courts of this state, and upon being further satisfied that such rules and
 18 regulations have been complied with in all respects, grant such applicant a license to practice law

19 in the courts of this state, and such license shall show upon its face that all the provisions of this
20 section and of the said rules have been complied with. ~~Provided, That any person who shall~~
21 ~~produce a duly certified copy of such order of the circuit court, and also a diploma of graduation~~
22 ~~from the college of law of West Virginia University reflecting a date of graduation prior to July 1,~~
23 ~~1983, shall, upon presentation thereof in any of the courts of this state, be entitled to practice in~~
24 ~~any and all courts of this state, and the order so admitting him or her shall state the facts pertaining~~
25 ~~to the same~~

NOTE: The purpose of this bill is to permit persons with master's degrees, regardless of the course of study, to take an examination for admission to practice law in the courts of this state.

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