

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2629

BY DELEGATES FOSTER, N., HIGGINBOTHAM, FOSTER,
G., HILL, SHOTT, BUTLER, WESTFALL, PHILLIPS, MOORE,
WILSON AND KESSINGER

[Introduced February 21, 2017; 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 §56-4-63a, relating to permitting a corporation to be represented by an officer
 3 of that corporation who shall have all the rights and privileges given an individual to
 4 represent, plead, and try a case without an attorney.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §56-4-63a, to read as follows:

ARTICLE 4. RULES AND PLEADING.

§56-4-63a. Certain corporations; pro se representation.

1 When the amount in controversy in any action at law does not exceed the sum of \$50,000,
 2 exclusive of interest, attorney fees contracted for in the instrument, and costs, a corporate plaintiff
 3 or defendant, the stock of which is held by no more than ten persons and is not publicly offered
 4 or planned to be publicly offered at the time of the litigation, may be represented by an officer of
 5 that corporation who shall have all the rights and privileges given an individual to represent, plead,
 6 and try a case without an attorney, provided that such officer has the unanimous consent of all
 7 the shareholders to do so.

NOTE: The purpose of this bill is to permit a corporation to be represented by an officer of that corporation who shall have all the rights and privileges given an individual to represent, plead, and try a case without an attorney.

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