

Senate Bill No. 70

(By Senators Williams and Sypolt)

[Introduced January 14, 2015; referred to the Committee on the Judiciary; and then to the
Committee on 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, and that beginning on July 1, 2015, the family court
11 circuits shall be realigned and adjusted to add one additional family court judge, so that a total of
12 ~~forty-five~~ forty-six family court judges shall serve throughout the state, allocated among a total of
13 twenty-seven family court circuits as follows:

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

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

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

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

22 (5) The counties of Mason, Jackson and Wirt shall constitute the fifth family court circuit and

1 have two family court judges;

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

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

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

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

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

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

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

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

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

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

22 (16) The counties of Clay and Nicholas shall constitute the sixteenth family court circuit and

1 have one family court judge;

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

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

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

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

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

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

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

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

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

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

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

3 (d) The Legislature has the authority and may determine to realign the family court circuits
4 and has the authority and may determine to increase or decrease the number of family court judges
5 within a family court circuit, from time to time. Any person appointed or elected to the office of
6 family court judge acknowledges the authority of the Legislature to realign family court circuits and
7 the authority of the Legislature to increase or decrease the number of family court judges within a
8 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.