

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 3190

BY DELEGATES DEAN, PAYNTER, KIMES, MAYNARD,
BOOTH, HAYNES, HANNA, FERRELL, AND WAMSLEY

[Introduced March 16, 2021; Referred to the
Committee on Education then the Judiciary]

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

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 18 years of age, and that he or she has resided in such county
 6 for one year next preceding the date of his or her appearance; and upon the presentation of ~~such~~
 7 that 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
 9 admission to practice law, which shall include the period of study and degree of preparation
 10 required of applicants previous to being admitted, as well as the method of examinations, whether
 11 by the court or otherwise: Provided, That the rules and regulations for admission to practice law
 12 shall provide that any person who has a diploma for a master's degree, regardless of the course
 13 of study, may take the examination for qualification to practice law in the courts of this state. And
 14 the Supreme Court of Appeals may, upon the production of a duly certified copy of the order of
 15 the circuit court, hereinbefore mentioned, and upon being satisfied that the applicant has shown,
 16 upon an examination conducted in accordance with such rules and regulations, that he or she is
 17 qualified to practice law in the courts of this state, and upon being further satisfied that such rules
 18 and regulations have been complied with in all respects, grant such applicant a license to practice
 19 law in the courts of this state, and such license shall show upon its face that all the provisions of

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