

**WEST VIRGINIA LEGISLATURE**  
**EIGHTY-SECOND LEGISLATURE**  
**REGULAR SESSION, 2015**



**ENROLLED**

**Senate Bill No. 479**

(BY SENATORS TRUMP, CARMICHAEL, MAYNARD, MILLER,  
WOELFEL, SNYDER, FERNS, PALUMBO, NOHE, BEACH, GAUNCH,  
KARNES, D. HALL, KIRKENDOLL, ROMANO, WILLIAMS AND  
LEONHARDT)

[PASSED MARCH 13, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

E N R O L L E D

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WOELFEL, SNYDER, FERNS, PALUMBO, NOHE, BEACH, GAUNCH,  
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[Passed March 13, 2015; in effect ninety days from passage.]

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AN ACT to amend and reenact §51-2A-3 of the Code of West Virginia, 1931, as amended, relating to adding family court judges to certain family court circuits of the state; providing for terms of office; and providing for election of new family court judges at the regular elections held in the year 2016.

*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.**

- 1 (a) Beginning on January 1, 2009, forty-five family court
- 2 judges shall serve throughout the state, allocated among a
- 3 total of twenty-seven family court circuits as follows:

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

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

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

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

16       (5) The counties of Mason, Jackson and Wirt shall  
17       constitute the fifth family court circuit and have two family  
18       court judges;

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

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

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

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

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

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

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

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

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

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

43 (16) The counties of Clay and Nicholas shall constitute  
44 the sixteenth family court circuit and have one family court  
45 judge;

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

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

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

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

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

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

63       (23) The counties of Mineral, Hampshire and Morgan  
64 shall constitute the twenty-third family court circuit and have  
65 one family court judge;

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

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

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

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

78       (b) Beginning on January 1, 2017, forty-seven family  
79 court judges shall serve throughout the state, allocated among  
80 a total of twenty-seven family court circuits as follows:

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

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

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

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

93 (5) The counties of Mason, Jackson and Wirt shall  
94 constitute the fifth family court circuit and have two family  
95 court judges;

96 (6) The county of Cabell shall constitute the sixth family  
97 court circuit and have three family court judges;

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

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

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

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

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

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

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

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

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

120       (16) The counties of Clay and Nicholas shall constitute  
121       the sixteenth family court circuit and have one family court  
122       judge;

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

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

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

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

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

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

140       (23) The counties of Mineral, Hampshire and Morgan  
141       shall constitute the twenty-third family court circuit and have  
142       two family court judges;

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

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

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

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

155       (c) Family court judges taking office January 1, 2017,  
156       shall be elected at the regularly scheduled election(s)  
157       occurring in the year 2016 and shall serve for a term of eight  
158       years.

159       (d) The Legislature has the authority and may determine  
160       to realign the family court circuits and has the authority and  
161       may determine to increase or decrease the number of family  
162       court judges within a family court circuit, from time to time.  
163       Any person appointed or elected to the office of family court  
164       judge acknowledges the authority of the Legislature to  
165       realign family court circuits and the authority of the

166 Legislature to increase or decrease the number of family  
167 court judges within a family court circuit.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman Senate Committee*

.....  
*Chairman House Committee*

Originated in the Senate.

In effect ninety days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the .....

Day of ....., 2015.

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*Governor*