

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

WHEREAS, the Legislature of West Virginia, in its 1993 regular session amended W.Va. Code §59-2-1; and

WHEREAS, the Supreme Court of Appeals adopted Rule 77(e) of the West Virginia Rules of Civil Procedure and Rule 22 the Rules of Civil Procedure for the Magistrate Courts of West Virginia, both effective September 1, 1993; and

WHEREAS, the above-referenced rules provide for the Chief Justice to establish financial guidelines for determining eligibility for waiver of payment or giving security for fees or costs in civil litigation; and

WHEREAS, W.Va. Code §59-2-1(b) requires this Court or the Chief Justice to periodically update financial guidelines for determining the eligibility of civil litigants to proceed in forma pauperis;

NOW, THEREFORE, IT IS ORDERED that the updated Financial Affidavit and Application for Fee Waiver and the financial guidelines attached hereto and incorporated herein by reference shall be in effect from 1 July 2011 until 31 December 2011 and thereafter shall be set based on 150 percent of the federal poverty guidelines in effect on January 1st of each year or until such time as otherwise directed by further administrative order of the Chief Justice.

IT IS FURTHER ORDERED that the Administrative Director is to update the financial guidelines on an annual basis for the Court's consideration.

ENTER: MARCH 23, 2011



Margaret L. Workman
Chief Justice