

STATE OF WEST VIRGINIA

At a regular term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 25th day of October, 2006, the following order was made and entered:

Re: AMENDMENTS TO RULE 1.1, 1.6, 3.1 and 3.6 OF THE RULES OF JUDICIAL DISCIPLINARY PROCEDURE

On a former day to-wit, June 30th, 2006 the Court published the amendments for comment thereon. No comments were received.

On this day came the Court, on its own motion, and proceeded to consider amendments to Rules 1.1, 1.6, 3.1 and 3.6 of the Rules of Judicial Disciplinary Procedure. Upon consideration whereof, the Court is of the opinion to and does hereby adopt said amendments, effective immediately.

The text of the amended rules to read as follows, with insertions indicated by underscore and deletions indicated by strikethrough:

“Rules of Judicial Disciplinary Procedure

Rule 1.1. Membership.

The Commission shall consist of nine members: three circuit judges, one magistrate, one family court judge, one mental hygiene commissioner, juvenile referee, special commissioner, ~~or~~ special master, or former judge or justice, state or federal, and three members of the public. Initially, the membership of the Commission shall consist of the current members of the Judicial Investigation Commission, except for the addition of one circuit judge and one mental hygiene commissioner, juvenile referee, special commissioner, ~~or~~ special master, and the deletion of two lawyers.

Rule 1.6. Reappointment.

A member of the Commission who has completed one full term of service shall twice be eligible for ~~a single~~ reappointment after completion of the member's term. Any member appointed to fill a vacancy who has served less than one year shall be eligible for two reappointments.

Rule 3.1. Membership.

The Board shall consists of nine members: three circuit judges, one magistrate, one family court judge, one mental hygiene commissioner, juvenile referee, special commissioner, ~~or~~ special master, or former judge or justice, state or federal, and three members of the public. Initially, the membership of the Board shall consist of the current members of the Judicial Hearing Board,

except for the addition of one circuit judge and one mental hygiene commissioner, juvenile referee, special commissioner, or special master, and the deletion of two lawyers.

Rule 3.6. Reappointment.

A member of the Board who has completed one full term of service shall twice be eligible for a single reappointment after completion of the member's term. Any member appointed to fill a vacancy who has served less than one year shall be eligible for two reappointments.”

A True Copy

Attest: _____
Clerk of Court