

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 13th day of July, 2011, the following order was made and entered **in vacation**:

IN RE: Request for Public Comment on Proposed Amendments to the By-Laws of The West Virginia State Bar

On a former day, to-wit, April 26, 2011, came Anita R. Casey, Executive Director of The West Virginia State Bar, and presented to the Court proposed amendments to the by-laws of the State Bar relating to its power to hold property and to borrow money. The proposed amendments were approved by the Board of Governors, and subsequently approved at the State Bar Annual Business Meeting on April 15, 2011.

Upon consideration whereof, the Court is of the opinion that any action to be taken by The West Virginia State Bar pursuant to said proposal is, in addition to the Board of Governor's approval, subject to the approval of the Court. Upon further consideration whereof, the Court does hereby approve a period of public comment on the proposed amendments to conclude on **August 25, 2011**, with comments to be filed in writing with the Clerk of this Court. The proposed amendments are an addition to Article IX of the by-laws, creating §11, §12, and §13, as follows:

* * *

§11. The West Virginia State Bar is empowered to borrow monies, on behalf of this West Virginia State Bar, in such amount and for such period of time and upon such terms and

rate of interest as approved by the board of governors. The power to borrow as herein provided shall include the power to execute promissory notes, bonds and other evidences of indebtedness and to secure the same by granting any security therefore which the board of governors may deem necessary or advisable in connection with exercising powers as provided herein, including the pledging of assets or granting deeds of trust or trust indentures.

§12. The West Virginia State Bar is empowered to (i) purchase, acquire, own, lease or otherwise hold such property, real or personal, deemed useful for the operations of the West Virginia State Bar, upon such terms, conditions and for such price as approved by the board of governors; (ii) acquire, construct, equip, maintain and operate buildings, structures, projects and appurtenant facilities, of any type or types deemed useful for the operations of the State Bar, upon such terms, conditions and for such price as approved by the board of governors; and (iii) sell, encumber or dispose of any property, real or personal, held or owned by the West Virginia State Bar.

§13. The West Virginia State Bar is empowered to do all things reasonable and necessary to carry out the foregoing powers.

A True Copy

Attest:



Deputy Clerk, Supreme Court of Appeals