

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held **in vacation** at Charleston, Kanawha County, on December 30, 2019, the following order was made and entered:

**RE: Approval and Adoption of Revisions to the Governance Documents of the West Virginia State Bar – West Virginia State Bar Constitution, West Virginia State Bar Bylaws, West Virginia State Bar Administrative Rules, and Definition of the Practice of Law
No. 18-Rules-04**

On October 31, 2019, the Court, upon motion made by the members of the West Virginia State Bar Board of Governors Subcommittee on Governance, (“Subcommittee”) proceeded to consider proposed revisions to the documents that control the governance of the West Virginia State Bar (“State Bar”). Those documents are the West Virginia State Bar Constitution, West Virginia State Bar Bylaws, West Virginia State Bar Administrative Rules, and the Definition of the Practice of Law.

The Court has jurisdiction pursuant to Article VIII §1 of the West Virginia Constitution.

The process began in 2012, when the State Bar presented to the Court proposed revisions to the State Bar Bylaws. Upon review at that time, the Court determined that a global revision of the State Bar governing documents should be undertaken, and by order entered May 23, 2012, the Court appointed a committee to be charged with reviewing the governing documents of the State Bar and drafting the revisions. The committee largely concluded its work in the spring of 2017, and the Court at that time approved the State Bar’s request to provide the Committee’s work to outside counsel for review and finalization of the revisions. In January 2018, then-president of the State Bar, Meshea Poore, appointed the Subcommittee to finalize the proposed revisions so that they could be presented to the Board of Governors. The proposed revisions were presented to the Board of Governors and at its meeting on April 8, 2018, the Board of Governors approved the proposed revisions. A majority of the members of the State Bar present at the April 9, 2018, business meeting likewise approved the proposed revisions. On April 23, 2018, the proposed revisions were submitted to the Court for review.

By order entered May 9, 2018, the proposed amendments were published for comment for a period of ninety-days. The proposed amendments were published in the “BarBlast” and were posted to the Court’s website where they remain in strike-through and underline format. Comments were received and were reviewed and fully considered by the Subcommittee and by the Court. The Court expresses its gratitude to the Subcommittee members, Dean Rohrig, State Bar Immediate Past President; John McGhee, Past President; and Rory L. Perry II, District 8 Board Member.

The Court has carefully reviewed and considered the proposed amendments, together with the comments filed in response to their publication. The Court is of the opinion to and does hereby adopt the amendments to the West Virginia State Bar Constitution, Definition of the Practice of Law, West Virginia State Bar Bylaws, and West Virginia State Bar Administrative Rules. The amendments replace the former Definition of the Practice of Law, West Virginia State Bar Constitution, By-Laws, Rules and Regulations, and the State Bar Administrative Rules in their entirety. The amendments, as adopted, are set forth fully and attached to this order. These amendments are effective January 1, 2020.

A True Copy

Attest: ///s/// Edythe Nash Gaiser
Clerk of Court

