

RE: ASSIGNMENT OF THE HONORABLE PAUL T. FARRELL, JUDGE OF THE SIXTH JUDICIAL CIRCUIT, TO THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

WALKER, J., responding to the Administrative Order of the Chief Justice.

The Chief Justice of the Supreme Court of Appeals of West Virginia has the sole authority under Article VIII, Section 2 of the West Virginia Constitution to assign a circuit judge to serve in place of a justice who is temporarily disqualified. I agree with the Chief Justice's selection of Judge Paul T. Farrell, a distinguished jurist with an exemplary record of service to his community and state, to serve as Justice during the suspension of Justice Allen Loughry. However, I believe it is improper to designate any justice as Acting Chief Justice for impeachment proceedings in which I or my colleagues may have an interest and that have not yet commenced in the Senate. Therefore, I agree in part and disagree in part with the Administrative Order.