

STATE OF WEST VIRGINIA

On August 21, 2026, the Supreme Court of Appeals of West Virginia made and entered the following order:

RE: APPROVAL OF AMENDMENTS TO BYLAW 3 OF THE WEST VIRGINIA STATE BAR BYLAWS, No. 26-215

On April 20, 2026, Kevin Baker, Executive Director of the West Virginia State Bar, submitted to the Court proposed amendments to Bylaw 3 of the West Virginia State Bar Bylaws regarding annual fees. Executive Director Baker also submitted a letter to the Court stating that the proposed amendments to Bylaw 3 were approved at the West Virginia State Bar Annual Meeting under Bylaw 11.01 (regarding amendments at annual meeting) and a request for expedited consideration and provisional adoption of the amendments.

Upon consideration and review, the Court is of the opinion to approve the proposed amendments to Bylaw 3 of the West Virginia State Bar Bylaws, as follows.

By separate order entered on May 19, 2026, the Court approved a Schedule of Fees under Bylaw 3.01 of the West Virginia State Bylaws. The Clerk is directed to attach the approved Schedule of Fees to this order.

The amendments to Bylaw 3, as adopted, and the approved Schedule of Fees are as follows (deletions indicated by strike-through; additions by underlining):

West Virginia State Bar Bylaws

* * *

Article 3 Fees

Bylaw 3.01 Authority to set annual membership fees

The schedule of annual membership fees must be approved by no fewer than two thirds of the Board and shall be approved by the Supreme Court of Appeals, and take effect upon the approval by the Supreme Court of Appeals.

Bylaw 3.02 ~~Amount of annual membership fee~~

~~a. Active members and active non-practicing members. The annual membership fee for active members and active non-practicing members varies depending on the number of fiscal years since the member was first admitted to the practice of law, and shall be as follows:~~

- ~~1. Less than one fiscal year: one hundred dollars (\$100);~~
- ~~2. One to three fiscal years: two hundred dollars (\$200);~~
- ~~3. Over three fiscal years: two hundred fifty dollars (\$250);~~

~~b. Inactive members. The annual membership fee for inactive members who are less than seventy years of age is one hundred dollars (\$100).~~

~~c. Members admitted by reciprocity. Any active member admitted to practice law in West Virginia without examination pursuant to Rule 4.0 of the Rules for Admission to the Practice of Law shall pay an annual membership fee equal to the amount of \$250.~~

~~d. Members admitted by transferred UBE score. Any active member admitted to practice law in West Virginia by transferred UBE score pursuant to Rule 3.5 of the Rules for Admission to the Practice of Law shall pay an annual membership fee of \$200 for the first three fiscal years, after which the annual membership fee will be \$250.~~

~~e. Active duty military members. Any active member who is called to active military duty after September 1 of any fiscal year may apply for a waiver of fees for the following fiscal year.~~

Bylaw 3.03 ~~Payment of annual membership fee~~

~~a. Obligation to pay annual membership fee. Each member shall pay the applicable annual membership fee to the State Bar on or before the first day of July each year for the ensuing fiscal year. Failure to pay on time will result in late fees and subject the member to possible suspension as set forth in State Bar Administrative Rule 3.03.~~

~~b. Exemptions from annual payment.~~

~~1. Judicial members, inactive members who are seventy sixty-five or more years of age, and emeritus pro bono members, and Members of the Armed Forces are exempt from annual membership payments but may voluntarily pay membership fees. A member of the armed forces may request a waiver of membership fees for the upcoming fiscal year by submitting a copy of their active duty orders along with the written request for a waiver. A member of the armed forces who has paid membership fees for the current fiscal year, but who is not called to active duty until on or after September 1 during the current fiscal year may request a waiver of membership fees for the subsequent fiscal year. The member must request the waiver between July 1 and September 1 of the subsequent fiscal year by submitting a copy of the prior active duty orders along with the written request. Approval of a waiver of membership fees does not exempt the member from the annual~~

~~financial responsibility disclosure, IOLTA, succession planning, and/or continuing legal education reporting requirements.~~

2. Any active member who is first admitted to practice law between May first and July first is exempt from paying an active membership fee for the fiscal year in which the admission takes place, but must complete the registration process set forth in Bylaw 2.02 before engaging in the Practice of Law.

3. A member who is suspended during the entire fiscal year as a result of disciplinary proceedings is not required to pay the annual membership fee for that year. Upon the expiration of any suspension resulting from disciplinary proceedings, a member is required to pay full membership fees for the current fiscal year before reinstatement.

c. Refunds prohibited. No part of any annual membership fee shall be refunded by reason of death, resignation, entering office as a Judge of a Court of Record, removal from the State, suspension, disbarment, or for any other reason.

Bylaw 3.03 Military Fee Waiver

Military Fee Waiver. A member of the armed forces may request a waiver of membership fees for the upcoming fiscal year by submitting a copy of their active duty orders along with the written request for a waiver. A member of the armed forces who has paid membership fees for the current fiscal year, but who is not called to active duty until on or after September 1 during the current fiscal year may request a waiver of membership fees for the subsequent fiscal year. The member must request the waiver between July 1 and September 1 of the subsequent fiscal year by submitting a copy of the prior active duty orders along with the written request. Approval of a waiver of Membership fees does not exempt the member from the annual financial responsibility disclosure, IOLTA, succession planning, and/or continuing legal education reporting requirements.

Bylaw 3.04 Authority to set other fees

The fees for administrative items such as late payments, penalties, legal entity registration, applications for mandatory continuing legal education accreditation, and requests for continuing legal education credit hours must be approved by no fewer than two-thirds of the Board and shall be approved by the Supreme Court of Appeals of West Virginia and take effect upon such approval. Transaction processing fees or convenience fees may be applied to any credit card, debit card, or other similar payment/transaction method. Fees may also be applied to any check returned for insufficient funds. An approved schedule of fees must be posted to the State Bar website and distributed electronically to all members in good standing on an annual basis.

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A True Copy

Attest: /s/ C. Casey Forbes
Clerk of Court

