

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on December 19, 2022, the following order was made and entered **in vacation**:

RE: Provisional Adoption of and Request for Public Comment on Proposed Amendments to Rule 1.1 Membership of the Rules of Judicial Disciplinary Procedure, No. 22- 914

On this day, the Court, on its own motion, proceeded to consider amendments to Rule 1.1 of the Rules of Judicial Disciplinary Procedure, Membership of the Judicial Investigation Commission.

The Court has jurisdiction under Article VIII, §§1 and 3 of the West Virginia Constitution. The Court is of the opinion that the rule amendments as set forth in this order should be provisionally adopted, subject to being published for a thirty-day period of public comment. Comments must be filed in writing with the Clerk of Court through File and Serve Express, on or before **January 18, 2022**.

The proposed deletions are indicated by strikethrough, and the additions to the Rule are indicated by underscoring to read as follows:

Rules of Judicial Disciplinary Procedure

Rule 1.1. Membership

The Commission shall consist of nine members: five members of the judiciary, including three circuit judges, one magistrate, one family court judge, provided that any members of the judiciary may be senior status; one from the following categories - mental hygiene commissioner, juvenile referee, special commissioner, special master, or former state or federal judge or justice, ~~state or federal~~, and three members of the public.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

