

Judicial Campaign Finance Laws and Rules

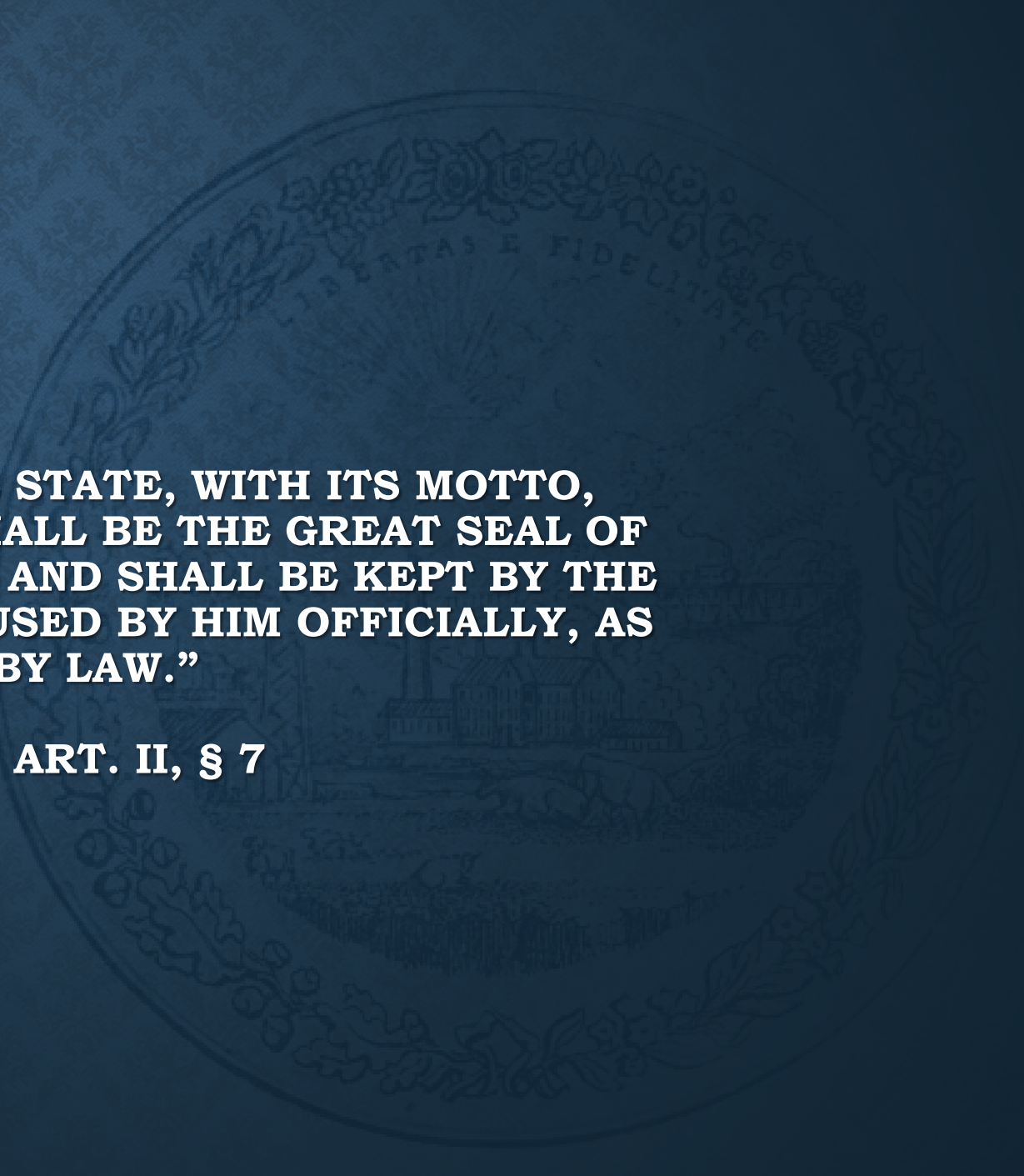
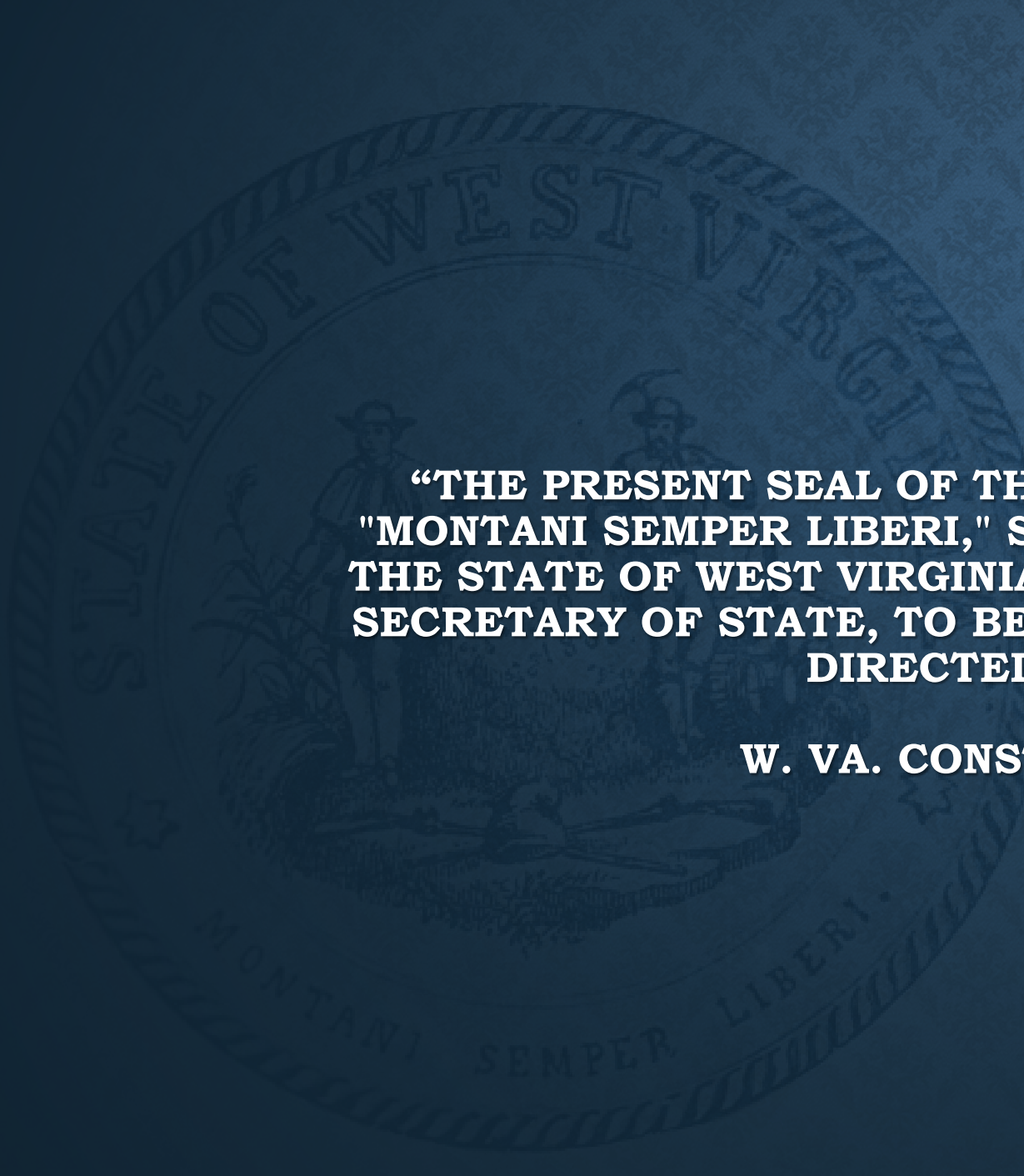


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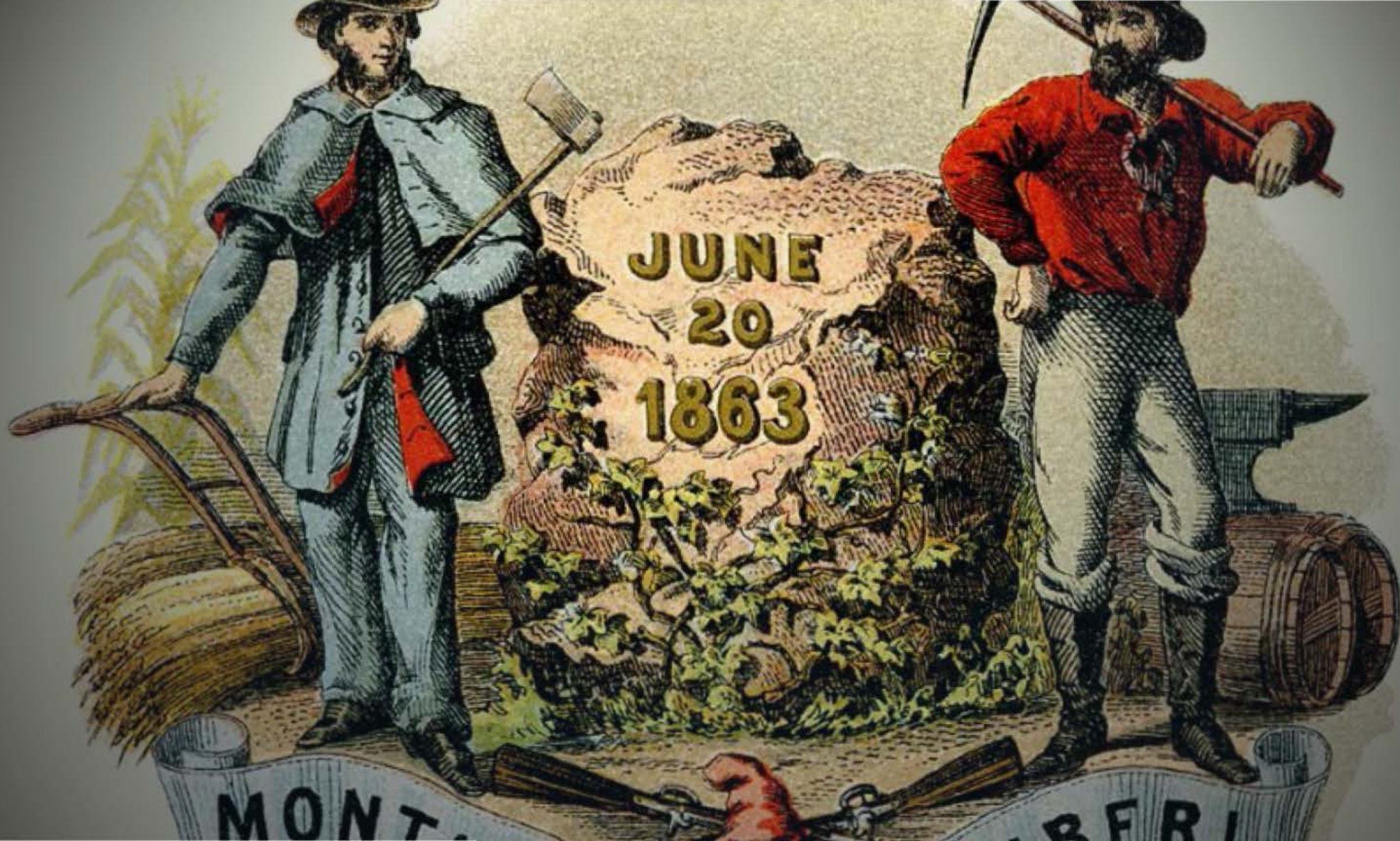
Webinar | November 16, 2023

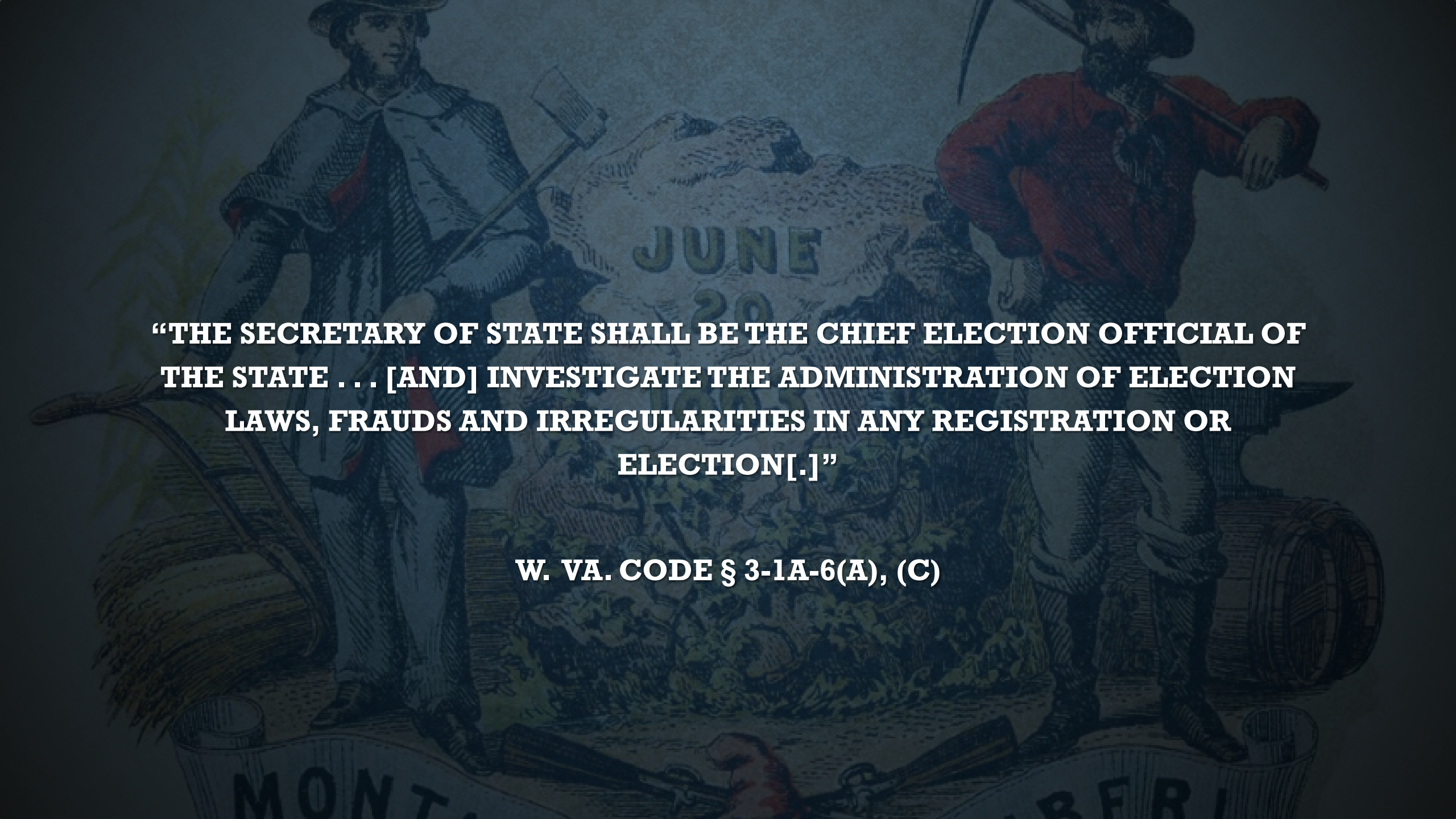




**“THE PRESENT SEAL OF THE STATE, WITH ITS MOTTO,
"MONTANI SEMPER LIBERI," SHALL BE THE GREAT SEAL OF
THE STATE OF WEST VIRGINIA, AND SHALL BE KEPT BY THE
SECRETARY OF STATE, TO BE USED BY HIM OFFICIALLY, AS
DIRECTED BY LAW.”**

W. VA. CONST. ART. II, § 7





“THE SECRETARY OF STATE SHALL BE THE CHIEF ELECTION OFFICIAL OF THE STATE . . . [AND] INVESTIGATE THE ADMINISTRATION OF ELECTION LAWS, FRAUDS AND IRREGULARITIES IN ANY REGISTRATION OR ELECTION[.]”

W. VA. CODE § 3-1A-6(A), (C)

OVERVIEW



1. Eligibility considerations
2. Candidate filing requirements
3. Campaign finance requirements & information



THIS

IS

**JUDICIAL CAMPAIGN FINANCE
LAWS AND RULES**

ELIGIBILITY CONSIDERATIONS

\$50*

*maximum CASH contribution from a person to judicial candidate's committee. W. Va. Code § 3-8-5d.



ELIGIBILITY REF'S*

<u>JUDICIAL OFFICE</u>	<u>W. VA. CONST.</u>	<u>W. VA. CODE</u>
Supreme Court	art. IV, § 4; art. VIII, § 7	n/a
Intermediate Court	art. IV, § 4; art. VIII, § 7	§ 51-11-3
Circuit Court	art. VIII, §§ 5, 7	§§ 51-2-1, 8
Family Court	art. VIII, §§ 7, 16	§§ 51-2A-3, 4
Magistrate Court	art. VIII, § 10	§ 50-1-4

*non-exhaustive, excludes Code of Judicial Conduct restrictions; see final slides for eligibility criteria by office.



WHO DETERMINES ELIGIBILITY?

Eligibility must be **determined in good faith by each candidate** and attested under oath/affirmation on Candidate's Certificate of Announcement.

W. Va. Code § 3-5-7.

WVSOS is prohibited from investigating candidate eligibility candidacy except "**in the case of an open and notorious disqualification for office such as a filing certificate tendered by a seven year old child[.]**"

SER Maloney v. McCartney, 223 S.E.2d 607, 616 (1976); see also *SER Summerfield v. Maxwell*, 148 W.Va. 535, 540, 135 S.E.2d 741, 745 (1964) (finding that the Secretary of State does not have "the administrative or judicial power, to make an investigation or inquiry relative to the qualifications of any candidate for any national, state, county, district or municipal office.")

BASIC ELIGIBILITY CRITERIA



Every candidate for judicial office must meet the following basic criteria:

1. **Residence** in the required jurisdiction for requisite length of time
2. **Minimum age**
3. **Law license** (except for Magistrates)
4. **Criminal history** (or lack thereof, depending on the office)

DEFINING “RESIDENCE”



“In West Virginia, the term ‘residence’ is synonymous with the term ‘domicile’ for election law purposes.”

White v. Manchin, Syl. pt. 7, 173 W. Va. 526, 318 S.E.2d 470 (1984).

“Domicile is a combination of **residence (or presence) and an intention of remaining**. If domicile has once existed, mere temporary absence will not destroy it, however long continued.”

Lotz v. Atamaniuk, Syl. pt. 2, 304 S.E.2d 20 (1983).

“The important facts in determining the domicile of a person who has more than one residence are the physical character of each, the time spent and the things done in each place, and whether or not there is an intention to return to the original domicile.”

Shaw v. Shaw, Syl. pt. 4, 155 W.Va. 712, 187 S.E.2d 124 (1972).



RESIDENCY FACTORS

Eligibility determined on a case-by-case basis.

Factors vary depending on the circumstances, and typically include:

- Home ownership
- Where income tax is paid
- Voter registration
- Driver's license
- Vehicle title
- Utility usage
- Activities in other states/jurisdictions

See, e.g., SER Harden v. Hechler, 187 W.Va. 670, 421 S.E.2d 53 (1992)



MINIMUM AGE

“No person, except citizens entitled to vote, shall be elected or appointed to any state, county or municipal office; but the governor and **judges must have attained the age of thirty**”

W. Va. Const. art. IV, § 4.

“Each magistrate shall be at least **twenty-one years of age**”

W. Va. Code § 50-1-4.

EDUCATION



"No person may hereafter be elected as a **justice of the supreme court of appeals** unless he has been admitted to practice law for at least ten years prior to his election, and no person may hereafter be elected as a **judge of a circuit court** unless he has been admitted to practice law for at least five years prior to his election."

W. Va. Const. art. VIII, § 7.



EDUCATION (CONT.)

“**Family court judges** must be admitted to practice law **in this state** for at least five years prior to their election.”

W. Va. Const. art. VIII, § 16.

“ [T]he Legislature shall not have the power to require that a **magistrate** be a person licensed to practice the profession of law” Each magistrate . . . shall have a high school education or its equivalent”

W. Va. Const. art. VIII, § 10; W. Va. Code § 50-1-4.



CRIMINAL HISTORY

"No person convicted of **treason, felony, or bribery in any election**, before any court in or out of this state, shall, **while such conviction remains unreversed**, be elected or appointed to any office under the laws of this state; and, if any person, while holding such office, be so convicted, the office shall be thereby vacated."

W. Va. Code § 6-5-5; Magistrates are subject to stricter requirements (see next slide).

The right to hold public office is a "civil right" that is automatically restored upon completion of a disqualifying criminal conviction.

See, e.g., Webb v. Raleigh County Court, 113 W.Va. 474, 168 S.E. 760 (1933) (interpreting the phrase "remains unreversed" to mean the period of time that a conviction may still be reversed, but "not to a subsequent period of time when there could be no reversal" because "[n]obody tries to obtain reversal of a conviction of a felony after the penalty has been paid.")



CRIMINAL HISTORY

"Each **magistrate** . . . shall not have been convicted of any **felony** or any misdemeanor **involving moral turpitude**[.]"

W. Va. Code § 50-1-4.

"Moral turpitude" is undefined in law, but generally described as importing "an act of baseness, vileness or depravity in the duties which one person owes to another . . . which is contrary to the usual, accepted and customary rule of right and duty which a person should follow."

Committee on Legal Ethics v. Scherr, Syl. pt. 2, in part, 149 W.Va. 721, 143 S.E.2d 141 (1965).

Has been interpreted to include convictions of Magistrate candidates for:

- domestic assault (JIC Advisory Op. 2019-23)
- falsely reporting an emergency incident (*SER JIC v. Troy Sexton, et al.* (2016))

CANDIDATE FILING REQUIREMENTS

\$2800*

* maximum cash contribution from any "person" to judicial candidate's committee." W. Va. Code § 3-8-5c.



PRECANDIDACY

Formal filing prior to the candidate filing period to:

1. Prepare to be a candidate; or
2. Determine the advisability of becoming a candidate.

Required by prospective candidates who “may receive contributions and make expenditures” related to a campaign.

W. Va. Code § 3-8-5e.

PRECANDIDACY (CONT.)



File for new post-realignment
Circuit or District as provided
in HB 3332 (2023)

Guidance for Circuit Judges
available on JIC website

The screenshot shows the West Virginia Judiciary website. At the top is the "WEST VIRGINIA JUDICIARY" header with a search bar and navigation links: Home, Contact, Employment, Sitemap. Below this is the "Judicial Investigation Commission of West Virginia" section with tabs for Code, Rules, Advisory Opinions, FAQ's, Annual Reports, and JIC Admonishments. The main content area is titled "2024 Judicial Campaign Ethics" and "So You Want to be a Judge - Running for Judicial Office". It features three buttons: "Judicial Campaign CLE", "2024 West Virginia Campaign Handbook" (marked "UPDATED"), and "SOS Guidance on Circuit Court Realignment" (marked "New:"). A red arrow points from the text "Guidance for Circuit Judges available on JIC website" to the "SOS Guidance on Circuit Court Realignment" button. On the left sidebar, under "Public Resources", there is a list of links including "Court Rules", "E-Filing", "Bar Admissions", "Lawyer Disciplinary Board", "Judicial Investigation", "West Virginia State Bar", and "Judicial & Law Enforcement Program". On the right, there is a "CONTACT INFORMATION" section listing Teresa Tarr, Brian J. Lanham, David Hudson, and Pam Schafer, along with their contact details and office hours. At the bottom right, there is a "FILING A COMPLAINT" section.

PRECANDIDACY (CONT.)



Judicial Circuit Realignment Impact on Precandidacy Registration and Certificate of Announcement:

HB 3332 (2023) goes into effect on June 9, 2023. However, the effective date for the judicial circuit realignment, which changes the circuit numbers, counties that make up each circuit, and number of available seats, is January 1, 2025.

The discrepancy in effective dates has raised questions as to whether candidates must list on the Precandidacy Registration Form or Certificate of Announcement their current circuit number or the post-realignment circuit number that officially goes into effect on January 1, 2025.

To resolve this discrepancy, the Office of the West Virginia Secretary of State advises prospective circuit court candidates in the 2024 election cycle to provide on the forms the new, post-realignment judicial circuit number as amended by HB 3332 (2023).

Summary

(same logic applies to
Family & Magistrate)





PRECANDIDACY FORM

“Office” is the Circuit number (prospective, not current)

“District/Division” can be amended at any time before close of candidate filing period (January 27, 2024 at 11:59 PM)

State of West Virginia PRE-CANDIDACY REGISTRATION FORM For all statewide, legislative, county, and municipal offices.			
<input type="checkbox"/> Check this box if this is an amendment			
Your Name, Committee Name, and Party Provide your full legal name, candidate committee name, and political party.	1	Last name <u>KERSEY</u>	First name <u>DONALD</u>
		Middle name <u></u>	Suffix <u></u>
	Committee name <u>Committee to Elect Deak</u>	Political Party <u>SOS</u>	
Office, District, Election	2	<input type="checkbox"/> Undeclared Office <u>Circuit Court, 1st Circuit</u>	District/Division <u>2</u> Election Year <u>2024</u>

TREASURER REQUIRED*



"[A] judge or a judicial candidate shall not . . . personally solicit or accept campaign contributions other than through a campaign committee authorized by Rule 4.4[.]"

Canon 4, Rule 4.1(A)(6).

"A judicial candidate subject to public election may establish a campaign committee to manage and conduct a campaign for the candidate, subject to the provisions of this Code. The candidate is responsible for ensuring that his or her campaign committee complies with applicable provisions of this Code and other applicable law."

Canon 4, Rule 4.4.

*a self-funded judicial candidate may serve as Treasurer of their campaign committee as long as the candidate does not solicit or accept contributions.

CANDIDATE FILING



Candidates must file a Certificate of Announcement to become an official candidate for the Circuit effective January 1, 2025.

Candidate filing period: January 8 – 27, 2024 at 11:59 PM.

W. Va. Code § 3-5-7.

Judicial candidates *except Magistrates* file with the Secretary of State's Office:

- Charleston @ State Capitol
- Clarksburg @ 153 West Main Street, 3rd Floor, Suite G
- Martinsburg @ 229 East Martin Street
- U.S. Mail to Charleston Office postmarked during the filing period

CANDIDATE FILING (CONT.)



Candidates must also file:

- Treasurer Designation form (if no Precandidacy) with SOS
- Financial Disclosure form with Ethics Commission within 10-days/filing

AMENDMENTS TO FILINGS



Certificate of Announcement may be amended only before close of candidate filing, unless non-material error does not affect ballot design or eligibility (policy, not law). Examples:

Can Amend Before Close

- Anything on Certificate

Can Amend Shortly After Close

- Name spelling/nickname
- Party affiliation
- Address or Committee info

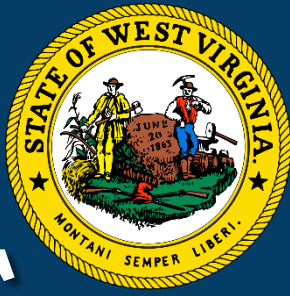
Treasurer Designation at any time via "Treasurer Change Form"

Campaign Finance Reports at any time

CAMPAIGN FINANCE REQUIREMENTS & INFORMATION

\$75000*

*maximum contribution from a "candidate committee" to their "affiliated" party executive committees or caucus campaign committee. W. Va. Code § 3-8-5c. Permitted by Canon 4, Rule 4.2(B)(6).



DETAILED ACCOUNTS AND VERIFIED FINANCIAL STATEMENT

" [A]ll candidates for nomination or election to state or local offices . . . shall keep, for a period of two years, records of receipts and expenditures which are made for political purposes.

W. Va. Code § 3-8-5(a)(1).

" Every person required to keep detailed accounts under subsection (a) of this section shall file a detailed, itemized sworn statement[.]"

W. Va. Code § 3-8-5(b)(1).



CAMPAIGN FINANCE REPORT FILING

All Judicial Candidates (except Magistrates) must file **online** through WVSOS campaign finance system @ cfrs.wvsos.gov

W. Va. Code § 3-8-5b(b)

A screenshot of the West Virginia Secretary of State Campaign Finance Reporting System website. The browser address bar shows "cfrs.wvsos.gov/#/index". The header features the West Virginia Secretary of State logo and the text "CAMPAIGN FINANCE REPORTING SYSTEM". To the right of the logo is a search bar with a dropdown menu set to "ALL" and a "Transaction Search" button. Further right are links for "Register" and "Sign In", and a contact information line: "Questions? Contact us at (304) 558-6000 or CampaignFinance@wvsos.gov". The main content area is divided into two columns. The left column is titled "Explore Committee Data" and contains four links: "View all 2023 Active State Political Action Committees", "View all 2023 Active State Political Party / Caucus Campaign Committees", "View all 2023 Active Independent Expenditure Committees", and "View all 2023 Active Electioneering Communication Committees". At the bottom of this column is a green button labeled "ALL COMMITTEE DATA". The right column is titled "Explore Candidate Data" and contains a link "Explore all the candidates running for" followed by two dropdown menus labeled "Select Office" and "Select District" with an "in" label between them. Below these is a link "View all late filings for Candidates and Committees". At the bottom of this column is a green button labeled "ALL CANDIDATE DATA".

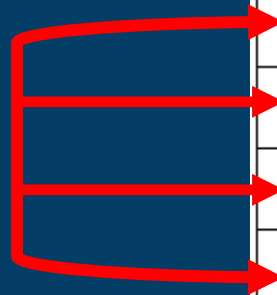


FILING SCHEDULE

Reports are due quarterly*, and an additional report is due no later than 4 days after the 15th day prior to any election (*i.e.* 11-15 days before election day).

W. Va. Code § 3-8-5(b).

Reports due for campaign committee established on/after Oct. 1, 2023, and terminated no later than June 30, 2024.



<u>REPORT</u>	<u>TRANSACTION DATES</u>	<u>FILING DATES</u>
2023 3rd Quarter Report	July 1, 2023 – September 30, 2023	October 1, 2023 – October 10, 2023
2023 4th Quarter Report	October 1, 2023 – December 31, 2023	January 1, 2024 – January 8, 2024
2024 1 st Quarter Report	January 1, 2024 – March 31, 2024	April 1, 2024 – April 8, 2024
2024 Primary Report	April 1, 2024 - April 28, 2024	April 29, 2024 – May 3, 2024
2024 2 nd Quarter Report	April 29, 2024 – June 30, 2024	July 1, 2024 – July 8, 2024
2024 3 rd Quarter Report	July 1, 2024 – September 30, 2024	October 1, 2024 – October 7, 2024
2024 General Report	October 1, 2024 – October 20, 2024	October 21, 2024 – October 25, 2024
2024 4 th Quarter Report	October 21, 2024 – December 31, 2024	January 1, 2025 – January 7, 2025

* deadline ending on a weekend or holiday deadline shifts to next business day.



WHAT IS IN A FINANCE REPORT?

SUMMARY COVER PAGE*



REPORT TOTALS		
RECEIPTS OF FUNDS		Totals for this Period
Contributions (Section 3)		\$65,603.15
Monetary Contributions from all Fund-Raising Events (Section 4)	+	\$0.00
Receipt of a Transfer of Excess Funds (Section 8)	+	\$0.00
Total Monetary Contributions	=	\$65,603.15
In-Kind Contributions (Section 5)	+	\$0.00
Total Contributions	+	\$65,603.15
Other Income (Section 5)		\$0.00
Loans Received (Section 6)	+	\$0.00
Total Other Income	=	\$0.00
OUTSTANDING LOANS & DEBTS		
Unpaid Bills (Section 9)		\$0.00
Outstanding Loans (Section 6)	+	\$0.00
Total Debts	=	\$0.00
TOTAL CONTRIBUTIONS ELECTION YEAR-TO-DATE		
\$203,888.77		

CASH BALANCE SUMMARY		
Beginning Balance (ending balance from previous report)	\$116,930.24	
Total Monetary Contributions	+	\$65,603.15
Total Other Income	+	\$0.00
Subtotal a.	=	\$182,533.39
Total Expenditures (Section 7)		\$15,263.33
Total Disbursements of Excess Funds (Section 8)	+	\$0.00
Repayment of Loans (Section 6)	+	\$0.00
Subtotal b.	=	\$15,263.33
Ending Balance (Subtotal a. - Subtotal b.)	=	\$167,270.06
TOTAL EXPENDITURES ELECTION YEAR-TO-DATE		
\$36,343.86		

*all info in a report is public information

CONTRIBUTIONS ≤ \$250



Section 2 Contributions of \$250 or Less			
DATE	CONTRIBUTOR'S FULL NAME OR COMMITTEE'S NAME	Election Type	AMOUNT
11/02/2022	DT Midstream Holdings LLC Political Action Committee	General	\$250.00
11/02/2022	Chiropractors Independent Political Action Committee	General	\$200.00
11/02/2022	West Virginians for Coal	General	\$200.00
11/07/2022	Monte Lee Williams	General	\$250.00
Subtotal of contributors of \$250 or less			\$900.00

W. Va. Code § 3-8-5a(a)(3)

CONTRIBUTIONS > \$250



Section 3		CONTRIBUTIONS OF MORE THAN \$250		
DATE	INDIVIDUAL CONTRIBUTOR OR COMMITTEE'S INFORMATION	Election Type		AMOUNT
11/2/2022	Name: Sarah Smith Address: 59 abney circle, Charleston, WV 25314 Mailing Address: Same Employer/Occupation: Self-employed Business Owner	General		\$1,000.00
11/2/2022	Name: Judith Stalnaker Address: 498 Shale Road, Normantown, WV 25267-9111 Mailing Address: Same Employer/Occupation: Self-employed Business Owner	General		\$500.00
11/2/2022	Name: West Virginia Hospital Association Political Action Committee Address: 100 Association Drive, Charleston, WV 25311-1217 Mailing Address: Same	General		\$2,800.00
11/2/2022	Name: Elevance Health Political Action Committee Address: 1001 Pennsylvania Avenue, NW Suite 710, Washington, DC 20004 Mailing Address: Same	General		\$1,000.00
11/2/2022	Name: Managed Care with Heart Co. Political Action Committee Address: 65 East State Street Suite 201, Columbus, OH 43215 Mailing Address: Same	General		\$1,000.00

W. Va. Code § 3-8-5a(a)(3)

FUNDRAISING EVENTS



Section 4

FUNDRAISING EVENTS

EVENT SUMMARY

		Reporting Period	Election to Date
Event Type	08/03/2023	Monetary Contributions	\$69,250.00
	Meet and Greet	Expenditures (from Section 7)	\$11,621.76
	DT Prime	NET RECEIPTS	\$57,628.24
	201 Capitol Street	Total In-Kind Contributions Related to Fundraiser (from Section 5)	\$0.00
	Charleston, WV 25301		

Contributions of \$250 or Less

Date	Full Name	ElectionType	Amount
7/25/2023	Chuck Hamilton	Primary	\$100.00
8/1/2023	Heather Heiskell Jones	Primary	\$100.00
8/3/2023	Andrew Robey	Primary	\$200.00
8/3/2023	Brian R Abraham	Primary	\$250.00
8/3/2023	Charles Love Esq.	Primary	\$250.00
8/3/2023	Conrad Lucas	Primary	\$250.00

Contributions of More than \$250

Date		Election Type	Amount
8/9/2023	Name: Larry Pack Address: 700 Shappell Road, Charleston, WV 25304 Mailing Address: Same Employer/Occupation: State Official Government/Civil	Primary	\$2,800.00
8/9/2023	Name: Brian Glasser Address: 209 Capitol Street, Charleston, WV 25301 Mailing Address: Same Employer/Occupation: Bailey & Glasser Attorney/Legal	Primary	\$1,000.00

W. Va. Code § 3-8-5a(c)

OTHER INCOME



In-kind contributions,
interest, & refunds

Note: coordination =
contribution

Section 5 OTHER INCOME: INTEREST, REFUNDS, MISCELLANEOUS RECEIPTS

Date	Source of Income	Type of Receipt	Amount
10/13/2020	Enterprise Rental 765 E Washington Street Charles town, WV 25414	Vendor Refund	\$7.71
10/13/2020	Expedia Group, INC. 333 108th Ave NE Bellevue, WA 98004	Vendor Refund	\$141.92
10/13/2020	Expedia Group, INC. 333 108th Ave NE Bellevue, WA 98004	Vendor Refund	\$141.92
Total Other Income:			\$291.55

IN-KIND CONTRIBUTIONS

Date	Name and Contributor Information	Description of Contribution	Election Type	Value
10/13/2020	Name: Shirley Searls Address: 2274 State Route 34, Winfield, WV 25213 Mailing Address: Same Employer/Occupation:	Putnam County Reagan Day Dinner Ticket	Primary	\$50.00
Total In-Kind Contributions:				\$50.00

W. Va. Code §§ 3-8-9 - 9b

LOANS



A written agreement is required

Section 6		LOANS			
Bank Loans: List name & address of financial institution Candidate Loans: List name, residence address and mailing address of person making or cosigning loan.	Column A Previous loan balance Amount	Column B Amount of new loan received during period Date/Amount	Column C Repayments during period Date/Amount	Column D Loan Forgiveness received Date/Amount	Column E Outstanding balance at end of period Amount
Name: [REDACTED] Address: [REDACTED] Mailing Address: [REDACTED]	\$25,000.00				\$25,000.00
Reporting Period Totals:		Loans Received	Repayments	Loan Forgiveness	Outstanding Loans
					\$25,000.00

W. Va. Code § 3-8-5f

EXCESS FUNDS



Section 8

RECEIPT OF A TRANSFER OF EXCESS FUNDS

Date	Candidate Committee Name and Year	Amount
3/11/2023	Ms. [REDACTED] Election Year: 2022	\$2,800.00
3/11/2023	Ms. [REDACTED] Election Year: 2022	\$2,800.00
3/30/2023	Mr. [REDACTED] Election Year: 2022	\$2,000.00
3/31/2023	Mr. [REDACTED] Election Year: 2018	\$1,000.00
3/31/2023	Mr. [REDACTED] Election Year: 2022	\$17,000.00
Total Receipts of Transfer of Excess Funds:		\$25,600.00

DISBURSEMENT OF EXCESS FUNDS

Date	Recipient Name and Year Disbursing Excess Funds	Purpose of Disbursement	Amount
3/31/2023	Mr. [REDACTED] Election Year: 2022	Travel Expenses	\$198.90
Total Disbursements of Excess Funds:			\$198.90

DEBTS



Section 9		UNPAID BILLS	
Date	Owed to Whom	Purpose	Amount
7/16/2019	The Greenbrier (Unpaid Bill) 101 W Main St White Sulphur Spring, WV 24986	Fundraising	\$161.38
Total Unpaid Bills:			\$161.38

OATH/AFFIRMATION

I, Mr. [REDACTED], swear or affirm that this statement is true and accurate, to the best of my knowledge, for all financial transactions occurring within the period covered by this statement, as required by West Virginia Code §3-8-5a.

Date 5/29/2020 2:43 PM

W. Va. Code § 3-8-5a(a)(6)

EXCESS CAMPAIGN FUNDS



*funds leftover after an election can be transferred to the same candidate's next campaign committee without limitation. W. Va. Code § 3-8-10(a)(2)(A) and W. Va. Code R. § 146-3-7.2.

WHAT ARE “EXCESS FUNDS”?



Also called “excess campaign assets,” this phrase refers to contributions in a candidate committee’s possession after an election cycle.

Usually money, sometimes tangible items (e.g. vehicle, laptop, yard signs, etc.)



AUTHORIZED USES FOR EXCESS FUNDS

Used by candidate to defray "any usual and customary expenses* incurred in connection with his or her duties as a holder of public office[.]"

W. Va. Code § 3-8-10(a)(1).

Examples:

- Items reimbursable by the office (e.g. dictation technology)
- Training seminars
- Expenses for conference in official capacity

*Ethics Act restrictions against using public office for private gain still apply.



AUTHORIZED USES FOR EXCESS FUNDS (CONT.)

Contributed by the candidate after the general* election to:

- Subsequent campaign by the same candidate without limitation (must first file new pre-candidacy form)
- Any charitable organization without limitation
- Any state party executive committee or state party legislative caucus committee without limitation

W. Va. Code § 3-8-10(a)(2).

*non-partisan elections held on the Primary Election Day are considered "general" elections



AUTHORIZED USES FOR EXCESS FUNDS (CONT.)

Contributed by the candidate after the general election to:

- Any national committee within federal limits
- Any local political party up to \$75,000
- POSSIBLY any other candidate committee up to \$2,800 per election/\$5,600 per cycle; follow Code of Jud. Conduct restrictions

W. Va. Code § 3-8-10(a)(2); see also Canon 4, Rule 4.1.



ELIGIBILITY CRITERIA BY OFFICE

SUPREME COURT JUSTICE



Justice of the Supreme Court of Appeals^{10, 16, 24}

Term: 12 years

Minimum Age: 30 years old

Residence: Must be a citizen of West Virginia for 5 years prior to election

Requirements: Must be in good standing with the WVSB; and admitted to practice law for at least 10 years prior to election

Source: Candidate's Certificate of Announcement for 2024 Elections

INTERMEDIATE COURT JUDGE



Judge of the Intermediate Court of Appeals^{10, 16, 24}

Term: 10 years

Minimum Age: 30 years old

Residence: Must be a citizen of West Virginia for 5 years prior to election

Requirements: Must be in good standing with the WWSB; and admitted to practice law for at least 10 years prior to election

Source: Candidate's Certificate of Announcement for 2024 Elections

CIRCUIT COURT JUDGE



Circuit Judge^{15, 16, 25}

Term: 8 years

Minimum Age: 30 years old

Residence: Must be a citizen of West Virginia for 5 years
– must reside in the circuit served while in office

Requirements: Must be in good standing with the
WVSB; and admitted to practice law for at least 5 years
prior to election

Source: Candidate's Certificate of Announcement for 2024 Elections

FAMILY COURT JUDGE



Family Court Judge^{16, 18}

Term: 8 years

Minimum Age: 30 years old

Residence: Must be a citizen of West Virginia for 5 years prior to election – must reside in the circuit served while in office

Requirements: Must be in good standing with the WVSB; and admitted to practice law at least 5 years prior to election

Source: Candidate's Certificate of Announcement for 2024 Elections

MAGISTRATE COURT JUDGE



Magistrate17, 25**

Term: 4 years

Minimum Age: 21 years old by the time of taking office

Residence: Must reside in the county served while in office

Requirements: Must have a high school education or equivalent. No more than one magistrate may be in an immediate family. No past felony conviction or any conviction for moral turpitude.

Source: Candidate's Certificate of Announcement for 2024 Elections

Thank you!



Judicial Campaign Finance Laws and Rules

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Webinar | November 16, 2023