

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on December 4, 2015, the following order was made and entered **in vacation**:

RE: NOTICE OF CORRECTION TO RULE 21 OF THE WEST VIRGINIA RULES OF JUVENILE PROCEDURE

By order issued November 25, 2015, the Court approved amendments to the West Virginia Rules of Juvenile Procedure, to become effective January 1, 2016. Upon additional review, the Court is of the opinion that a correction is necessary to Rule 21 of the West Virginia Rules of Juvenile Procedure due to a clerical error. The order entered on November 25, 2015, incorrectly provided that the amendment applied to Rule 21(a)(5) of the West Virginia Rules of Juvenile Procedure. Rule 21 has been corrected to indicate that the amendment applies to Rule 21(b)(5) of the West Virginia Rules of Juvenile Procedure as set forth below. Additions are shown by underlining, and deletions are shown by strikethrough.

Rules of Juvenile Procedure

Rule 21. Discovery

(b) *Disclosures Prior to Adjudication.* The prosecuting attorney shall make the following disclosures in anticipation of adjudication:

(5) Juvenile's Record. Provide the juvenile's counsel with prior allegations of delinquency, prior adjudications and ~~improvement~~ pre-adjudicatory community supervision periods.

The Rules attached to the Court's November 25, 2015, order and posted to the Court's website have been updated to reflect this correction. The Clerk is directed to provide a copy of this order to all publishers who normally would receive notice of rule changes.

A True Copy
Attest: //s// Rory L. Perry II Clerk of Court

