

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: AUTHORIZING THE WEST VIRGINIA STATE BAR TO DEVELOP ELECTRONIC VOTING

On May 23, 2012, this Court entered an order appointing a select committee "with directions to undertake a comprehensive revision of the State Bar By-laws and Rules and regulations, in collaboration with the President of the West Virginia State Bar and the President's designees." Since that time, both the Committee and designees from the West Virginia State Bar ("State Bar") have worked diligently to modernize and comprehensively update the governing documents of the State Bar.

Currently, Article X § 1 of the By-laws requires amendments to be approved by the Board of Governors and submitted to the membership for approval at the annual business meeting. Because the work of the Committee is ongoing and is expected to be completed later this year, an alternative method is necessary to allow the membership of the State Bar to consider and vote on proposed changes apart from consideration at the annual business meeting.

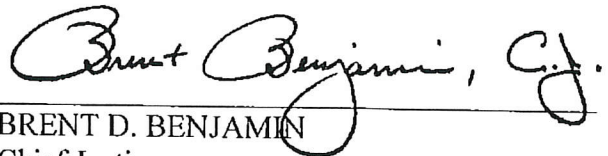
In addition, the current version of the By-laws and Rules and Regulations specify an entirely paper-based process for submitting referenda to the membership and for nominating and electing members of the Board of Governors. The revisions under consideration by the Committee will permit the State Bar to use electronic means to ascertain the opinion of the membership and to conduct elections.

The Court is of the opinion that the timely consideration and implementation of the revisions to be proposed by the Committee will be better supported if the State Bar is authorized at this point to develop and submit a plan for using electronic means to ascertain the opinion of the membership, to conduct elections, and to seek approval of amendments to the By-laws. The use of electronic voting will reduce costs and improve the administration of the State Bar. A draft of this order was considered and approved by the Board of Governors at its May 10, 2013 meeting, and was also approved by the State Bar membership present at the annual business meeting on May 10, 2013.


IT IS HEREBY ORDERED, that the West Virginia State Bar is authorized to develop a secure, accurate, and fair plan for using electronic means to ascertain the opinion of the membership, to conduct elections, and to seek approval of amendments to the By-laws. The

electronic voting plan must be developed in coordination with the Committee and approved by the Board of Governors. Prior to implementing the electronic voting plan, the Executive Director must submit a written description of the plan to the Clerk for consideration and approval by the Court.

ENTERED this 21 day of May, 2013.


BRENT D. BENJAMIN
Chief Justice

Attest:


Rory L. Perry II, Clerk