

SUPREME COURT OF APPEALS
STATE OF WEST VIRGINIA



FOREST J. BOWMAN
ADMINISTRATIVE DIRECTOR

ADMINISTRATIVE OFFICE
E-402 STATE CAPITOL
CHARLESTON 25305
304/348-0145

April 27, 1979

Honorable A. James Manchin
Secretary of State
Room W-157, State Capitol
Charleston, West Virginia 25305

Dear Mr. Manchin:

Enclosed please find a revised copy of the Judicial Travel Regulations that we would like to have placed on file in the Secretary of State's Office.

If you have any questions concerning the filing of these travel regulations, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in cursive script that reads "Ronald D. Lawson".

Ronald D. Lawson
Assistant Director

RDL:bc

Enc.

*obsolete
v4/cd May 1, 1979 to June 30, 1979*

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 5-2-79

REVISED JUDICIAL TRAVEL POLICY

EFFECTIVE MAY 1, 1979

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

GENERAL

THIS DATE 5-2-79

Employees are presumed to have their official headquarters at the county courthouse within the county in which they reside, unless the employee is employed in a circuit other than the one in which he resides, in which case the employee's official headquarters shall be deemed to be the same as the Judge for whom he or she is employed.

The standard travel expense account form will be used for all expense claims. All claims must be detailed on a day-by-day basis and accompanied by receipts. Expense statements must be signed by the employee and certified by the Circuit Judge (Chief Judge in multi-judge circuits) or Chief Justice. No items designated "miscellaneous" will be reimbursed nor will expenses which are not travel related.

TRANSPORTATION

Transportation may be obtained by public conveyance or privately owned vehicles. The expense of transportation will be reimbursed only for cost of travel between official headquarters and the place to which duties require travel.

Expenses for a temporary return to domicile from headquarters over weekends or for holidays will not be reimbursable for in-state travel unless the expense is no greater than would have been incurred were the employees to have remained in the field, which fact shall be certified by the Chief Judge in multi-judge circuits; Circuit Judge of single-judge circuits; or Chief Justice.

Reimbursement will be limited to the actual cost supported by ticket stubs or other appropriate documentation based on the most economically direct and practical route possible.

When traveling out-of-state and when common carrier is not available to the designated travel point, automobile rental will be reimbursable to the employee when substantiated by receipts for automobile rental and gasoline. Optional insurance must be paid for by the employee.

Receipted bills for travel by any common carrier must accompany and certify the reimbursement request. Employees traveling by way of commercial airlines whose travel time does not exceed two hours are required to travel at tourist or economy rates.

Maximum mileage allowances for use of privately owned vehicles will be twenty cents (\$.20) per mile, which shall cover the cost of parking and garage fees. Toll charges may be included as an additional item, but must be substantiated by receipts.

SUBSISTENCE

All employees traveling on Judicial business will be reimbursed in an amount equal to their actual hotel bill for lodging only while absent from their official stations. No reimbursements will be made for extra hotel charges such as radio, television, laundry, and/or valet charges, and personal telephone calls. A receipt for the amount paid for hotel rooms must be submitted with the original expense account. Reimbursement for hotel and/or meal expenses shall not be made for an employee's spouse. In cases of double occupancy, hotel reimbursements will be on the basis of the single occupancy rate.

As a governmental unit, the State is not exempt from Federal excise tax on transportation.

Reimbursement will be made for meals while absent from official station, at the rate of Twenty Dollars (\$20.00) per day for travel within the State of West Virginia. When

traveling within the county of an employee's official headquarters, no meal reimbursement shall be granted.

OUT-OF-STATE

Costs for out-of-state travel will be reimbursed only for travel deemed necessary for the proper conduct of Judicial business and will require the certification of the Chief Justice before reimbursement is made. Prior approval of the Chief Justice will be required for travel to and attendance at any meeting outside the State.

All requests for out-of-state travel for approval by the Chief Justice must first be submitted to the Administrative Director for review. Sufficient information must be included to show justification for the request.

MISCELLANEOUS

In preparing expense statements, all expenses for hotel bills must be listed separately. The maximum out-of-state travel expenses for meals and lodging shall not exceed Sixty Dollars (\$60.00) per day, unless prior specific approval is obtained from the Chief Justice.

Registration fees at conventions must be supported by receipts and are limited to One Hundred Dollars (\$100.00) unless prior approval has been granted by the Chief Justice.

Necessary charges for the transfer and storage of baggage will be allowed provided such charge does not exceed fifteen percent (15%) of the daily hotel room rate for the date of check-in and date of check-out (first and last day).

Reimbursement for automobile travel en route to and from a destination outside the State (mileage, hotel and meals) shall not exceed the first-class fare by commercial airlines.

Reimbursement for meals and lodging for a State visitor who is conducting official State business or an individual being interviewed for employment within the Judiciary will be allowed.

The Administrative Director may approve requests for cash advances for out-of-state travel purposes which have prior approval by the Chief Justice in an amount not to exceed Five Hundred Dollars (\$500.00). However, the Chief Justice may also approve cash advances in excess of Five Hundred Dollars (\$500.00) for travel by employees performing


official duties that require such employees to be out of the State longer than fifteen consecutive days.

All individuals receiving cash advances are personally responsible for filing their actual expenses and making final settlement with the State within thirty days from the date of said warrant.

All requests for out-of-state travel shall be forwarded, on the form furnished by the Administrative Office, in triplicate, to the Administrative Office, at least two weeks (14 days) prior to the anticipated date of departure for such out-of-state travel.

REIMBURSEMENT BY THIRD PARTY

If any Judicial employee is reimbursed for travel expenses by a third party, that employee is not eligible for reimbursement by the State for the expenses reimbursed by the third party.


FRED H. CAPLAN
CHIEF JUSTICE