

WEST VIRGINIA ADMINISTRATIVE RULES

ATTORNEY GENERAL

CHAPTER 29B-1
(1983)

Section 1. General

1.01. Rule Designation--These rules are procedural.

1.02. Application--These rules relate to Chapter 29B, Article 1, Section 1 et seq., of the West Virginia Code of 1931, as amended.

1.03. Authority--Code 29B-1-3.

1.04. Effective Date--These rules are effective October 1, 1983.

Section 2. Request Procedure

2.01. Document Request--A request to inspect or copy any public record for which the Office of the Attorney General is the custodian must be in writing and contain the following information:

(a) A description of each document sought and, if available, the title, date and author of each such document;

(b) A general statement of the intended use of such documents;
and

(c) The name and address of the person or persons requesting to inspect or copy such public records.

2.02. Library Material Request--A request to provide copies of statutes, case law, official opinions or other like materials that may be contained in the library maintained in the Office of

the Attorney General must be in writing and indicate the volume(s) and page numbers where such material is located.

Section 3. Special Exemptions.

3.01. Code of Professional Responsibility--Records exempt from disclosure by Canon 4 of the Code of Professional Responsibility shall not be disclosed except as provided under the provision set forth therein.

3.02. Exemptions--The categories of information set forth in Code 29B-1-4 are hereby adopted as exempt from disclosure.

Section 4. Request for Compilations

4.01. Compilations not Provided--The Office of the Attorney General may decline to honor requests which require the creation of a record containing a compilation of records, extraction of information from other records or any statistical analysis of records.

Section 5. Fees for the Reproduction of Records.

5.01. Cost Per Page--The cost for reproducing records shall be Twenty-five Cents (.25) per page.

5.02. Method of Payment--Payment for the reproduction of records shall be made in advance in cash or by certified check.

5.03. Exemption from Payment--No payment for the reproduction of documents shall be required under the following circumstances:

- (a) Request is made pursuant to established discovery procedures;
- (b) Requests made by State agencies and local government agencies;
- (c) Requests made by in-State press; and

(d) Requests made by prosecuting attorneys and other
elected officials.



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
CHARLESTON 25305

CHAUNCEY H. BROWNING, JR.
ATTORNEY GENERAL

August 18, 1983

The Honorable A. James Manchin
Secretary of State
State Capitol

Re: Attorney General
Administrative Rules
Chapter 29B-1 (1983)

Dear Mr. Manchin:

Please file the enclosed administrative rules.

Thank you very much for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Gregory W. Bailey".

GREGORY W. BAILEY
DEPUTY ATTORNEY GENERAL

GWB/rm

Enclosure

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE Aug. 18, 1983
Administrative Law Division