

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE: ASSESSMENT FEE TO BOARD OF RISK
AND INSURANCE MANAGEMENT
PURSUANT TO W. Va. CODE § 29-12D-1a(c)

MISCELLANOUS NO.: 3-17-MC-15

**ORDER REGARDING ASSESSMENT FEE
TO BOARD OF RISK AND INSURANCE MANAGEMENT
PURSUANT TO W. Va. CODE § 29-12D-1a(c)**

West Virginia Code § 29-12D-1a(c) places an assessment on claims filed under the Medical Professional Liability Act. Under the statute, “[t]he defendant or defendants shall remit the assessment to the clerk of the court in which the qualified claim was filed. The clerk of the court shall then remit the assessment quarterly to the Board of Risk and Insurance Management to be deposited in the fund.” W. Va. Code § 29-12D-1a(c)(2).

As the Clerk of the United States District Court for the Northern District of West Virginia is governed by federal law, the Court **ORDERS** that any such assessment which may be due under the Medical Professional Liability Act shall not be paid to the Clerk of this Court. Furthermore, the Clerk is directed to return any checks consequently received.

Dated this 17th day of March, 2017.



GINA M. GROH
CHIEF UNITED STATES DISTRICT JUDGE