



Jim Justice
Governor of West Virginia

April 15, 2020

Community Bankers of West Virginia
101 N Kanawha Street, Suite 201
Beckley, WV 25801

West Virginia Bankers' Association
3601 MacCorkle Avenue, SE - Suite 100
Charleston, West Virginia 25304

West Virginia Center for Budget and Policy Priorities
8 Capitol St.
Charleston, WV 25301

West Virginia Senior Legal Aid, Inc.
922 Quarrier St Ste 400
Charleston, WV 25301

Mountain State Justice
1217 Quarrier St
Charleston, WV 25301

ACLU-WV
405 Capitol St # 507
Charleston, WV 25301

National Consumer Law Center,
on behalf of its low income clients
1001 Connecticut Avenue, NW, Suite 510
Washington, DC, 20036

Re: Protecting CARES Act Payments and other Necessary Funds from Seizure

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

OFFICE OF THE GOVERNOR

To whom it may concern:

Thank you for your letter concerning the issue of debt collection efforts for funds to be distributed to West Virginia citizens under the federal CARES Act.

It is generally outside the scope of the Governor's emergency powers to suspend debt collection efforts in the manner you have requested. Notwithstanding that fact, we recognize that a number of states have taken steps to limit certain debt collection efforts during their states of emergency. Notably, the state of Texas, by and through the Supreme Court of Texas, suspended or delayed the seizure or garnishment of certain consumer debt.

We have reached out to the Supreme Court of Appeals of West Virginia to discuss their legal authority to provide certain relief to the citizens of this state and it is my understanding that they are currently reviewing this matter. We will continue to monitor this issue in consultation with the Supreme Court of Appeals of West Virginia, and encourage you to reach out to them, as well.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Garner Marks". The signature is fluid and cursive, with a small "5" at the end.

A. Garner Marks
Deputy General Counsel