WEST virginia legislature

2021 regular session

Introduced

House Bill 3261

By Delegate Pritt

[Introduced March 16, 2021; Referred to the Committee on the Judiciary then Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-4-112a relating to adoption attorneys; allowing the direct payment of state adoption attorneys, prohibiting state payment of adoptive parent’s attorney fees, and providing for an attorney referral list rather than direct attorney referral for adoptive parents.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 4. COURT ACTIONS.**

§49-4-112a. Adoption attorneys fees.

(a) The State of West Virginia shall pay fees for services rendered on behalf of the state by an attorney appointed for such purpose directly to the appointed counsel.

(b) The state shall not directly pay attorney fees of adoptive parents.

(c) Representatives of the State of West Virginia, including persons employed by the Department of Health and Human Resources, shall not recommend adoption attorneys.

(d) The department shall allow attorneys to be placed on a list of qualified adoption attorneys which may be provided to adoptive parents upon request.

NOTE: The purpose of this bill is to specify the direct payment of adoption attorney fees and prohibit direct referrals.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.