

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Engrossed

Senate Bill 944

BY SENATORS STUART, AZINGER, BARTLETT, CHARNOCK,

DEEDS, FULLER, GARCIA, HART, HELTON, ROSE,

RUCKER, TAYLOR, AND WILLIS

[Originating in the Committee on the Judiciary;

reported March 31, 2025]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §9-5-34, relating to the creation of the West Virginia Child First Advisory
3 Committee and the West Virginia Child First Fund; creating advisory committee; setting
4 forth composition of advisory committee; providing duties of advisory committee; providing
5 for minimum number of meetings; requiring annual findings and report; providing authority
6 to create subcommittees and working groups; establishing West Virginia Child First Fund;
7 providing for promulgation of rules; and providing for management of moneys within fund.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Creation of the West Virginia Child First Advisory Committee and the West Virginia Child First Fund.

1 (a) There is hereby created the West Virginia Child First Advisory Committee, which shall
2 be administered by the Department of Human Services. The necessary expenses incurred by the
3 West Virginia Child First Advisory Committee shall be paid by the Department of Human Services.

4 (b) The West Virginia Child First Advisory Committee is comprised of the following
5 members:

6 (1) The Cabinet Secretary for the Department of Human Services, or his or her designee,
7 who shall also serve as the Chair of the Committee;

8 (2) The Foster Care Ombudsman, or his or her designee;

9 (3) Two individuals appointed by the Governor, by and with the advice and consent of the
10 Senate, who have a background in child welfare issues, including, but not limited to, the following:

11 (A) Child abuse and neglect proceedings in West Virginia;

12 (B) Child welfare laws, rules, and regulations;

13 (C) The structure and workflow of the components of the child welfare system, including,
14 but not limited to, abuse and neglect case intake, investigations into abuse and neglect

allegations, case management, court processes, placement, reunification, and child permanency
plannings; and

(D) The permanent and temporary child placement system, including the child foster care
system, child placement process, and child adoption process;

(4) Two members of the West Virginia House of Delegates, ex officio non-voting,
appointed by the Speaker of the House of Delegates;

(5) Two members of the West Virginia Senate, ex officio non-voting, appointed by the
President of the Senate;

(6) The Speaker of the House of Delegates, ex officio non-voting, or his or her designee;

(7) The President of the Senate, ex officio non-voting, or his or her designee; and

(8) The Administrative Director of the Supreme Court of Appeals, or his or her designee.

(c) The West Virginia Child First Committee shall:

(1) Evaluate child welfare outcomes in the state of West Virginia;

(2) Evaluate the potential improvement of child welfare outcomes in the state of West
Virginia;

(3) Evaluate the administration of child abuse and neglect laws including an evaluation of
the performance of judges, guardians ad litem and other attorneys representing children,
attorneys representing respondent parents, Child Protective Services workers, and Department
of Human Services administrators;

(4) Evaluate state child welfare laws, rules, and regulations;

(5) Evaluate areas of specific concern for children within the abuse and neglect court
system; and

(6) Identify the issues of priority and areas of most concern for the Department of Health
as it relates to the child welfare system;

(d) The West Virginia Child First Advisory Committee shall meet at least quarterly and shall make findings and annual recommendations contained in a report delivered to the Governor and the Joint Committee on the Judiciary with respect to:

(1) Improving the child welfare system in West Virginia;

(2) Improving the permanent and temporary child placement system, including the child foster care system, child placement process, and child adoption process;

(3) Opportunities for reducing the removal rate of children from parents and facilitating an increase in the rates of family reunification outcomes;

(4) Opportunities for increased efficiency in the administration and delivery of child welfare services that do not otherwise compromise child welfare outcomes;

(5) Opportunities for increasing transparency and accountability within the child welfare system; and

(6) Any other opportunities for legislative or executive action that could address, resolve, or otherwise improve upon any problem identified including, but not limited to, the following:

(A) Mapping the structure and workflow of all major components of the child welfare system, including intake, investigation, case management, court processes, placement, reunification, and permanency plannings;

(B) Identifying duplication of efforts, unnecessary complexity, communication breakdowns, and other operational inefficiencies across agencies and stakeholder groups;

(C) Evaluating the alignment of information systems and data infrastructure to support efficient service delivery and accountability;

(D) Analyzing the system's ability to provide predictable, timely, and high-quality services to children and families, using metrics such as decision timelines, placement stability, and reunification rates;

(E) Assessing opportunities for cross-agency coordination, integration of services, and modernization of workflows through technology or policy innovation; and

65 (F) Providing a framework for continuous quality improvement using principles of systems
66 design, performance feedback, and organizational development.

67 (e) The West Virginia Child First Advisory Committee shall deliver its annual report
68 containing the required findings and recommendations to the Governor and the Joint Committee
69 on the Judiciary on or before January 1 of each year, beginning January 2026.

70 (f) The West Virginia Child First Advisory Committee may create subcommittees and
71 working groups it considers appropriate.

72 (g) The West Virginia Child First Fund is hereby established and shall be administered by
73 the Department of Human Services. The Department of Human Services shall promulgate rules
74 for purposes of administering this fund.

75 (1) Expenditures from the West Virginia Child First Fund shall be used for the sole purpose
76 of improving child welfare outcomes in the state of West Virginia.

77 (2) The West Virginia Child First Fund shall consist of moneys that may be appropriated
78 by the Legislature, moneys received from the federal government, and moneys received from
79 private donations, grants, bequests, and all other moneys received from all sources. The
80 Department of Human Services, political subdivisions, and any private entity may engage in
81 fundraising efforts to solicit donations to the West Virginia Child First Fund.

82 (3) Any moneys remaining in the West Virginia Child First Fund at the end of the fiscal
83 year shall not revert to the General Revenue Fund but shall remain in the fund solely for the
84 purpose stated in this article.

85 (4) The moneys accrued in the West Virginia Child First Fund, any earnings thereon, and
86 any yields from investments by the Treasurer or West Virginia Investment Management Board
87 are reserved solely and exclusively for the purposes set forth in this subsection.