

# **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]

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

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 4. COURT ACTIONS.**

**§49-4-112a. Adoption attorneys fees.**

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

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

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

6 (d) The department shall allow attorneys to be placed on a list of qualified adoption  
 7 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.