

Table of Contents

	Page
Sections Affected by 2024 Legislation	ix
Chapter 2. Common Law, Statutes, Legal Holidays, Definitions, and Legal Capacity.	
Art. 3. Legal Capacity, § 2-3-1	1
Chapter 5. General Powers and Authority of the Governor, Secretary of State and Attorney General; Board of Public Works; Miscellaneous Agencies, Commissions, Offices, Programs, etc.	
Art. 16B. West Virginia Children’s Health Insurance Program, §§ 5-16B-1 to 5-16B-10	2
Chapter 9. Human Services.	
Art. 3. Application for and Granting of Assistance, §§ 9-3-4 to 9-3-6	9
Chapter 15. Public Safety.	
Art. 11. The Child Protection Act of 2006, §§ 15-11-1, 15-11-2	13
Art. 2. West Virginia State Police, § 15-2-15	14
Art. 3A. Amber Alert Plan, §§ 15-3A-1 to 15-3A-7	15
Art. 13. Child Abuse and Neglect Registration, §§ 15-13-1 to 15-13-8	17
Chapter 15A. Department of Homeland Security.	
Art. 4. Corrections Management, § 15A-4-8a	21
Art. 6. Bureau of Juvenile Services, §§ 15A-6-1 to 15A-6-5	22
Chapter 16. Public Health.	
Art. 1. State Public Health System, § 16-1-19	23
Art. 2E. Birthing Centers, § 6-2E-3	23
Art. 5. Vital Statistics, §§ 16-5-1 to 16-5-38	23
Art. 5B. Hospitals and Similar Institutions, §§ 16-5B-2, 16-5B-13	43
Art. 66. Support for Mothers and Babies Act, §§ 16-66-1 to 16-66-3	44
Chapter 18. Education.	
Art. 2. State Board of Education, §§ 18-2-40a, 18-2-41	45
Chapter 21. Labor.	
Art. 6. Child Labor, §§ 21-6-1 to 21-6-11	46
Chapter 25. Division of Corrections.	
Art. 1. Organization, Institutions and Corrections Management, § 25-1-3c	53
Art. 1B. West Virginia Correctional Center Nursery Act, §§ 25-1B-1 to 25-1B-7	53
Chapter 29. Miscellaneous Boards and Officers.	
Art. 22. State Lottery Act, § 29-22-27a	55
Chapter 33. Insurance.	
Art. 15. Accident and Sickness Insurance, § 33-15-16	55
Art. 16. Group Accident and Sickness Insurance, § 33-16-11	56
Chapter 37. Real Property.	
Art. 4. Partition, §§ 37-4-1 to 37-4-9	57
Chapter 38. Liens.	
Art. 3. Judgment Liens, §§ 38-3-1 to 38-3-19	67
Art. 4. Executions, §§ 38-4-1 to 38-4-32	86

	Page
Art. 5. Proceedings in Aid of Execution; Interrogatories; Suggestion, §§ 38-5-1 to 38-5-23	97
Art. 7. Attachment, §§ 38-7-1 to 38-7-46	105
Art. 8. Exemptions from Levy, §§ 38-8-1 to 38-8-15	129
Art. 9. Homestead Exemptions, §§ 38-9-1 to 38-9-6	135
Art. 10. Federal Tax Liens; Orders and Decrees in Bankruptcy, §§ 38-10-1 to 38-10-4	137
Art. 12. Release and Assignment of Liens, §§ 38-12-1 to 38-12-13	141
Chapter 44. Administration of Estates and Trusts.	
Art. 2. Proof and Allowance of Claims Against Estates of Decedents, § 44-2-21 ...	144
Art. 10. Guardians and Wards Generally, §§ 44-10-1 to 44-10-7	145
Chapter 44A. West Virginia Guardianship and Conservatorship Act.	
Art. 1. Definitions and General Provisions, §§ 44A-1-1 to 44A-1-15	154
Chapter 48. Domestic Relations.	
Art. 1. General Provisions; Definitions, §§ 48-1-101 to 48-1-307	161
Art. 1A. Uniform Premarital Agreement Act, §§ 48-1A-101 to 48-1A-1101	182
Art. 2. Marriages, §§ 48-2-101 to 48-2-702	183
Art. 3. Annulment or Affirmation of Marriage, §§ 48-3-101 to 48-3-107	193
Art. 4. Separate Maintenance, §§ 48-4-101 to 48-4-104	197
Art. 5. Divorce, §§ 48-5-101 to 48-5-707	198
Art. 5A. Collaborative Family Law Proceedings, §§ 48-5A-101, 48-5A-102	215
Art. 6. Property Settlement or Separation Agreements, §§ 48-6-101 to 48-6-301	215
Art. 7. Equitable Distribution of Property, §§ 48-7-101 to 48-7-501	223
Art. 8. Spousal Support, §§ 48-8-101 to 48-8-106	231
Art. 9. Allocation of Custodial Responsibility and Decision-Making Responsibility of Children, §§ 48-9-101 to 48-9-604	234
Art. 10. Grandparent Visitation, §§ 48-10-101 to 48-10-1201	255
Art. 11. Support of Children, §§ 48-11-101 to 48-11-108	261
Art. 12. Medical Support, §§ 48-12-101 to 48-12-118	267
Art. 13. Guidelines for Child Support Awards, §§ 48-13-101 to 48-13-902	272
Art. 14. Remedies for the Enforcement of Support Obligations, §§ 48-14-101 to 48-14-1001	294
Art. 15. Enforcement of Support Order through Action Against License, §§ 48-15-101 to 48-15-402	307
Art. 16. Uniform Interstate Family Support Act, §§ 48-16-101 to 48-16-903	312
Art. 17. West Virginia Support Enforcement Commission, §§ 48-17-101 to 48-17-111	333
Art. 18. Bureau for Child Support Enforcement, §§ 48-18-101 to 48-18-206	335
Art. 19. Child Support Enforcement Attorney, §§ 48-19-101 to 48-19-105	355
Art. 20. Uniform Child Custody Jurisdiction and Enforcement Act, §§ 48-20-101 to 48-20-404	358
Art. 21. [Reserved]	369
Art. 22. Adoption, §§ 48-22-101 to 48-22-903	369
Art. 23. Voluntary Adoption Registry, §§ 48-23-101 to 48-23-801	386
Art. 24. Establishment of Paternity, §§ 48-24-101 to 48-24-106	390
Art. 25. Change of Name, §§ 48-25-101 to 48-25-107	396
Art. 25A. Infant and Maternal Mortality Review Team, §§ 48-25A-1 to 48-25A-3	398
Art. 26. Domestic Violence Act, §§ 48-26-101 to 48-26-1102	399
Art. 27. Prevention and Treatment of Domestic Violence, §§ 48-27-101 to 48-27-1105	410
Art. 27A. Domestic Violence Fatality Review Team, §§ 48-27A-1 to 48-27A-3	430
Art. 28. Uniform Interstate Enforcement of Domestic Violence Protection Orders Act, §§ 48-28-1 to 48-28-10	430

	Page
Art. 28A. Address Confidentiality Program, §§ 48-28A-101 to 48-28A-110	433
Art. 28B. Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act, §§ 48-28B-1 to 48-28B-5	435
Art. 29. Property, Rights and Liabilities of Married Women; Husband and Wife, §§ 48-29-101 to 48-29-303	437
Art. 30. Proceedings Before a Family Law Master [Repealed]	438
Art. 31. Uniform Deployed Parents Custody and Visitation Act, §§ 48-31-101 to 48-31-503	438
Chapter 48A. Enforcement of Family Obligations [Repealed]	444
Chapter 48B. Uniform Interstate Family Support Act [Repealed]	444
Chapter 48C. Uniform Child Custody Jurisdiction and Enforcement Act [Repealed]	444
Chapter 49. Child Welfare.	
Art. 1. General Provisions and Definitions, §§ 49-1-101 to 49-1-209	446
Art. 2. State Responsibilities for Children, §§ 49-2-101 to 49-2-1006	460
Art. 3. Specialized Advocacy Programs, §§ 49-3-101, 49-3-102	502
Art. 4. Court Actions, §§ 49-4-101 to 49-4-904	502
Art. 5. Record Keeping and Database, §§ 49-5-101 to 49-5-106	599
Art. 6. Missing Children Information Act, §§ 49-6-101 to 49-6-116	606
Art. 7. Interstate Cooperation, §§ 49-7-101 to 49-7-304	612
Art. 8. Supporting and Strengthening Families Act, §§ 49-8-1 to 49-8-6	624
Art. 9. Foster Care Ombudsman Program [Repealed]	626
Art. 10. Exemption From West Virginia Division of Personnel, §§ 49-10-101 to 49-10-103	627
Art. 11. System Reporting, § 49-11-101	628
Chapter 51. Courts and Their Officers.	
Art. 2A. Family Courts, §§ 51-2A-1 to 51-2A-24	628
Art. 11. The West Virginia Appellate Reorganization Act, §§ 51-11-1 to 51-11-13	643
Chapter 55. Actions, Suits and Arbitration; Judicial Sale.	
Art. 17. Procedures for Certain Actions on Behalf of or Against the State, § 55-17-3	648
Chapter 56. Pleading and Practice.	
Art. 3. Writs, Process and Order of Publication, § 56-3-33a	649
Art. 6. Trial, § 56-6-31	650
Chapter 61. Crimes and Their Punishment.	
Art. 2. Crimes Against the Person, § 61-2-14h	654
Art. 3C. West Virginia Computer Crime and Abuse Act, § 61-3C-14c	655
Art. 5. Crimes Against Public Justice, § 61-5-29	656
Art. 8B. Sexual Offenses, §§ 61-8B-9a, 61-8B-9b	656
Art. 8D. Child Abuse, §§ 61-8D-1 to 61-8D-10	657
Art. 8F. Sex Offender Registration Act [Repealed]	668
Art. 8F. Special Protections for Disabled Children Act of 2022, §§ 61-8F-1 to 61-8F-7	668
Art. 14. Human Trafficking, §§ 61-14-1 to 61-14-9	670
Chapter 62. Criminal Procedure.	
Art. 15B. Family Drug Treatment Court Act, §§ 62-15B-1, 62-15B-2	674
Rules of Practice and Procedure for Family Court, Rules 1 to 60	677
Appendix A: Forms for Family Court Proceedings, Form 1 to Form 11	694
Form Orders for Proceedings Conducted Under Chapter 49 of the West Virginia Code for Out-of-Home Care of Children	746
Appendix B: Guidelines for Guardians <i>ad Litem</i> in Family Court	747

	Page
West Virginia Rules of Juvenile Procedure, Rules 1 to 52	749
Rules of Procedure for Child Abuse and Neglect Proceedings, Rules 1 to 55	773
Appendix A: Guidelines for Children’s Guardians <i>ad Litem</i> in Child Abuse and Neglect Cases	796
Appendix B: In the Circuit Court of County, West Virginia	798
Rules of Practice and Procedure for Domestic Violence Civil Proceedings, Rules 1 to 28	801
Appendix: Guidelines for Kanawha County Pilot Domestic Violence Court	812
Rules of Practice and Procedure for Minor Guardianship Proceedings, Rules 1 to 17	813
Index	I-1