



Helping Families Affected by the Opioid Crisis

LAWYER IN THE SCHOOL AND WV WORKS LEGAL SUPPORT PROJECT

AT A GLANCE:

- **CURRENTLY HAS EIGHT PARTNERSHIPS/PROJECTS AND ANOTHER ONE BEING ACTIVELY DEVELOPED**
- **PROVIDES SERVICES TO FAMILIES WITH CHILDREN IN ELEMENTARY SCHOOLS AND ENGAGES IN LEGAL OUTREACH AND TRAINING TO KINSHIP CAREGIVERS**

In November 2019, NLADA's Project to Advance Civil Legal Aid Collaborations (PACC) held the inaugural convening of a new leadership cohort that will utilize a peer learning model to support emerging civil legal aid leaders' efforts to strategically organize the delivery of their services to be collaborative and holistic. Seven equal justice leaders from West Virginia, Oklahoma, Maryland, Vermont, and Illinois gathered from across the country to learn about and share best practices in partnership building, monitoring and evaluation, and replication.

We believe that each cohort member represents an idea and project poised to change the landscape of justice in America. And we are committed to scaling the very best of these projects nationwide.

To that end, we have drafted case studies, like this one, for each of the leaders that describe how they build their partnerships and funded their work. Each case study also includes supporting documents, ranging from training materials for partnering staff to grant details and MOUs.

To contact PACC or to receive individualized technical assistance about specific funding for your practice, email resourcedesk@nlada.org. PACC is staffed by Casey Chiappetta and Radhika Singh.

PACC is generously funded by the Kresge Foundation.



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In 2016, Legal Aid of West Virginia (LAWV) conducted a program needs assessment via surveys and community meetings with clients, community partners, and stakeholders statewide. Overwhelmingly, West Virginians with knowledge of LAWV clients and their communities prioritized legal work related to the opioid crisis and to eliminating barriers to low income West Virginians' economic stability. With this knowledge, LAWV, in developing and implementing their current program Strategic Plan, have worked to "turn the battleship" and focus program resources on these key areas of identified need. LAWV now has eight partnerships and projects and another project being actively developed that focus on this work. The partnerships that are currently in place are at different stages, in which some are successfully underway and others are just starting to take off.

WV WORKS Legal Support Project: Since 2003, Legal Aid of West Virginia (LAWV) has jointly operated a project with the state's Department of Health and Human Resources in order to assist Temporary Assistance for Needy Families (TANF) recipients with pressing legal needs. In each of LAWV's 12 offices, the WV WORKS Legal Support Project is staffed with paralegal advocates and a number of regional attorneys. Up until 2017, the Project focused primarily on Social Security cases, and legal assistance for one- and two-parent TANF families on issues impeding self-sufficiency and safety (e.g. housing, domestic violence, and employment). However, as the opioid epidemic unfolded, LAWV staff reported that the composition of West Virginia's TANF caseload was shifting. A review of federal data confirmed that in 2017, over 70 percent of West Virginia's TANF cases were "child only," as a consequence of the growing number of children living with relatives as a result of parental substance use disorder. LAWV used this information to make a request to increase funding for the WV WORKS Legal Support Project in order to better serve families in which TANF recipient children are living with caretaker relatives.

LAWV TIMELINE



2003

LAWV begins jointly operating a project with the WV Dept. of Health & Human Resources (DHHR) to **assist TANF recipients with legal needs**

2017

LAWV pilots Lawyer in the School at Mary C. Snow West Side Elementary School in Charleston, WV with **LSC pro bono grant**

LAWV partners with WV Healthy Grandfamilies to provide resources to grandparents raising grandchildren

LAWV collects and analyzes case data and finds that **>70% of TANF cases were "child only,"** a consequence of the opioid crisis

2018

LAWV **receives DOJ OVC funding to support Lawyer in the School Project** focused on kids impacted by the opioid crisis

LAWV approached DHHR for an increase of \$240k to better serve clients together. They are successful in this ask

2019

LAWV partners with Mission West Virginia to provide resources to kinship caregivers and develops a guide for kinship caregiver legal issues

LAWV is approached by Aetna Insurance related to foster care. Aetna was successful in the bid

2020

LAWV is actively exploring expansion of Lawyer in the School to additional WV counties.

Consequently, since 2018, LAWV's staff funded by the WV WORKS Legal Support Grant has included a Kinship Resource Attorney, and the Project offers an expanded array of legal services to meet the specific needs of children who have been impacted by the opioid epidemic and their caretaker relatives. The program's attorneys are trained in handling infant guardianships, adoption cases, and children's specialized education needs. They provide holistic guidance to caretaker relatives around the consequences of various legal permanency options, including counseling around public benefits, children's health care, and tax consequences. Project staff partner extensively with community organizations such as West Virginia Healthy Grandfamilies to provide legal outreach and training to kinship caregivers.

Lawyer in the School Project: The goal of LAWV's [Lawyer in the School Project](#) is to stabilize the lives of elementary school children who attend Title One schools in some of West Virginia's most challenged communities, by providing onsite legal help to their families on issues such as eviction, disrupted income, and legal custody for caregivers. While the Lawyer in the School service model was initially developed as an LSC pro bono grant, Lawyer in the School staff quickly identified substance use disorder as a major issue for the families they served, many of whom were headed by kinship caregivers. Subsequently, LAWV applied for and received a DOJ OVC grant earmarked for assisting children impacted by the opioid epidemic, titled *Enhancing Community Responses to the Opioid Crisis: Serving Our Youngest Crime Victims*. Using the Lawyer in the School service model, the project aims to reduce the consequences of childhood trauma and promote the necessary conditions for educational success and overall well-being of children whose families have been opioid impacted. The Lawyer in the School VOCA grant serves the families of youth impacted by substance abuse who attend schools in Marion, Cabell and Wayne County. Lawyer in the School holds regular school-based clinics in each county to provide on site legal help to effected children and their caregivers. They also screen the families who attend the clinics to determine whether or not there is a need for longer term direct representation regarding a range of matters impacting the children and their caregivers, provide legal information presentations to school families, and participate in a community response network.

NARRATIVE

Though LAWV's focus on opioid-related casework is a relatively recent development, the organization's move in that direction has been a natural consequence of pre-existing work. Many of their pre-existing clients and the majority of communities being served by LAWV were directly impacted by the opioid epidemic and LAWV was well-positioned to serve this growing community need. Building on their previous work, LAWV adjusted the focus of the services they offered (e.g., reinforcing and ramping up the work they were already doing around kinship care) in order to be more effective in assisting their clients with opioid-related legal issues.

WV WORKS Legal Support Project: LAWV's WV WORKS Legal Support Project is a referral partnership with the West Virginia Department of Health and Human Resources (DHHR). DHHR is West Virginia's administrator for TANF, and they have funded LAWV to provide legal services to TANF recipient families for approximately 20 years. Over the last several years, LAWV staff assigned to this project began noticing a shift in case type: they were increasingly receiving referrals to assist caregiver relatives in "child only" TANF cases.

Their caseload referrals began changing about 5 years ago, but it wasn't until the last few years that LAWV recognized the degree to which this shift was connected to the opioid crisis.

As noted above, LAWV linked these trends when they hosted a listening project in connection with their strategic planning process. LAWV heard from the communities they served about how greatly they were being affected by the crisis, and then realized that the sharp increase in caretaker relative payments they were seeing with DHHR was significantly related to the opioid crisis. Building upon this knowledge, LAWV reviewed available statewide TANF caseload data, and determined that West Virginia's TANF case load had risen to over 70 percent "child only" cases, a figure which local DHHR staff confirmed was correlated to the opioid epidemic. Equipped with this information, LAWV was able to successfully request at the statewide level that DHHR increase LAWV's funding so that they could effectively respond to the needs of these clients.

In June of 2018, LAWV approached the West Virginia DHHR with a request for a \$240,000 increase in funds, on the basis that the West Virginia DHHR was grappling with an urgent opioid problem effecting both its TANF and foster care caseloads, and that LAWV was uniquely poised to help. LAWV prepared for the meeting by crafting a plan for DHHR and LAWV to better serve clients together. LAWV used an "ask sheet" to organize their requests in this meeting. In this ask sheet, they described the issue, their proposed response, and the projected impact of what they could do with additional resources and the current impact of their work.

LAWV's relationship with DHHR around this project has opened the possibility of LAWV's use of other funds to serve discrete populations or to run more specialized projects. This is one of the larger grants LAWV receives, and it allows them to fund approximately 20-25 people statewide. Though these attorneys and paralegals aren't focused exclusively on addressing the opioid crisis, the attorneys on the grant spend approximately half of their time working on opioid-related issues.

LAWV has maintained a strong relationship with DHHR over the years and they look to each other to work collaboratively. For example, LAWV has a longstanding agreement with DHHR that will not sue the Department (e.g., on public benefits cases) with the money that DHHR gives them. LAWV

advocates funded by other sources will sue DHHR with other organizational money. Additionally, LAWV provides DHHR with regular reporting on aggregate project outcomes that demonstrate the value of the work in bringing stability, safety, and permanency to TANF families. This has helped DHHR leadership and front line staff to enthusiastically partner in this work.

Lawyer in the School: Lawyer in the School grew out of a LSC pro bono grant as a way for LAWV to recruit volunteer lawyers for a compelling project and expand their footprint in urban Charleston schools. LAWV contacted the local school board to develop the initial proposal. With the pilot project's success, LAWV staff were able to arrange a meeting with the state school superintendent. From there, LAWV received additional foundation funding, as well as support from other law firms and Catholic Community Services to sustain and replicate the model locally in the Charleston area. In these school-based projects, they're doing extensive kinship work, but they also help with consumer, domestic violence, and housing issues.

In their work at the pilot school for the LSC pro bono grant, Mary C. Snow West Side Elementary School in the West Side neighborhood of Charleston, LAWV project staff found that a significant number of students were being raised by relatives or had parents who were in recovery from substance use disorders. They then used the Lawyer in the School concept as the service model for an application for a DOJ OVC [Serving Our Youngest Crime Victims](#) grant, with the intention of expanding their opioid-related casework.

This federal funding has allowed them to grow the project in three other counties and serve both the western and northern part of the state. Because of the success, the State Superintendent and the state's Department of Education have offered more support for them to set up in the southern part of the state as well, and LAWV is now looking at where and how they will launch that phase of the initiative. Right now, they have a confirmed one-year fellow in the north-central region of the state, who will work on expanding services to an additional Title One school that has been impacted by the opioid epidemic. The State School Board are interested in developing similar programming in schools across all 55 counties, following a well-received pilot team presentation of their project model to county superintendents. As a result of these meetings, counties have approached LAWV to ask about launching legal aid projects in their schools.

Now that they've been running this project for a couple of years, LAWV is starting to learn where they may need to make some changes in order to increase their effectiveness in responding to the varying needs of each school. For example, they're looking at how they may have to tailor their model in urban vs rural locales, big schools vs small schools, or in areas where pro bono resources are less available. They currently have seven staff members working on this project – ranging from attorneys to paralegals and post-graduate fellows setting up new projects in rural areas. [Read their report here.](#)

NEXT STEPS

LAWV connected with Healthy Grandfamilies, an initiative led by West Virginia State University that provides resources to grandparents raising grandchildren, and this work has taken off. LAWV provides trainings for Healthy Grandfamilies membership and takes referrals. This partnership was piloted in the Charleston area and is now being replicated statewide. LAWV has also just partnered

with Mission West Virginia, another West Virginia non-profit, to develop an extensive guide on legal issues for caregiver relatives that they are going to distribute to DHHR, Healthy Grandfamilies groups, and other community partners.

LAWV is a firm believer that existing work can often serve as an entry point for future projects. To launch services to kinship caregivers of opioid impacted kids, they recommend analyzing existing projects and client communities to identify groups that provide services to kinship caregivers. Partnering with these groups is an ideal way to establish a pilot, and then request institutionalized funding, a method that LAWV has successfully deployed in the past. LAWV also has several other projects in the pipeline. LAWV was approached a couple of months ago by Aetna Insurance, who were bidding on a foster care contract with DHHR through Medicaid. Aetna wanted to write LAWV into the proposal as a “value added service” in the foster care arena. They recently learned that Aetna successfully won the bid. LAWV was also recently approached by a national non-profit to develop a model resource center that supplies a variety of services to folks in recovery from opioid use disorder.



WV WORKS Legal Support Project

Partnership meeting

June 8, 2018

A collaboration
between WV DHHR and
Legal Aid of WV

ISSUE	Responding to the crisis of children in kinship care due to the drug epidemic in West Virginia: <ul style="list-style-type: none"> ⇒ There are over 44,000 children in WV placed in kinship caregiver homes. Over 85% of those placements are drug related. ⇒ WV DHHR Child-Only households account for approximately 21,000 of those children or 71% of WV WORKS cases. ⇒ Most kinship caregivers do not understand the legal needs of the household or know there is help available to resolve problems impacting family stability and child placement success. 	Assistance	Project Funding
PROPOSAL	Services the same but adding a refocus of the WV WORKS Legal Support Project: <ul style="list-style-type: none"> ⇒ Current WV WORKS Legal Support Project services will continue. ⇒ Four (4) regional response teams will be created, consisting of current staff focusing on outreach and education to kinship/grand-family communities supplying much needed education and legal assistance. (current funding) ⇒ One new centrally located kinship resource attorney will be added, focusing on relative caregiver issues. (additional funding) ⇒ Support for increased project costs, after six years of level funding. 	LEGAL ISSUES <ul style="list-style-type: none"> • Adoption • Guardianship • Child Support • Tax Benefits • School/Education • Protection • Job Interference • Income EDUCATIONAL OUTREACH <ul style="list-style-type: none"> • Benefits for the household • Navigating various systems • Needs for proper care • Providing a Legal Handbook 	<ul style="list-style-type: none"> * Funding to LAWV for the WV WORKS Legal Support Project has remained level at \$1,558,245 since FY 2013. * LAWV staffing has remained the same under the Project while services have grown at no additional costs to WVDHHR. * LAWV program costs (insurance, mileage, rent, tele communications, etc.) have steadily risen the last six years without an increase in funding. * FY2019 funding request: \$1,798,245 (additional funding request: \$240,000)
IMPACT	<ul style="list-style-type: none"> ⇒ Stabilization of children affected by the drug epidemic. ⇒ Addressing the needs of kinship caregivers by helping them successfully navigate educational, benefits, juvenile justice and other systems. ⇒ Decreasing state costs and caseloads of CPS. ⇒ Better educational experience for the children which affects the schools, teachers and other children in the classrooms. ⇒ Continued help to self-sufficiency for all WV WORKS client households through current and on-going services. 		

More potential outcomes like this:

Mr. and Mrs. Jones had physical custody of their two grandsons for three years. They gained guardianship of the children, but wanted to adopt them and the boys also wanted to be adopted. There were many benefits the boys would get through Mr. Jones if they were adopted. The children's mother lived hours away and had not seen the boys in three years, since the day she dropped them off. The father of one of the boys was deceased and the father of the other boy was incarcerated. Mr. and Mrs. Jones were the only chance they had for a safe and stable life. Due to the drug abuse of their parents, the boys' life had been anything but stable and it led to many court hearings during the time they lived with their mother. The town where they lived was small and almost every attorney in the area had a conflict of interest or cost too much money to take on the adoption. The Jones' were upset to not quickly find an attorney. A Legal Aid of West Virginia attorney took on the adoption and the Jones' became proud legal parents of their two boys. The children are thrilled that they were adopted and both are thriving. The family no longer receives the child-only check or SNAP and the boys are on the Jones' medical insurance.

July 1, 2017—May 31, 2018

WV WORKS Legal Support Project Case Statistics

- ✓ Opened approximately **1,124** cases
- ✓ Closed over **1,200** cases
- ✓ Over **2,900** people served through outreach
- ✓ Over **\$100,000** in monetary Savings to DHHR
- ✓ Close to **\$900,000** in awards/avoids

LAWYER IN THE SCHOOL



About Lawyer in the School

Legal Aid of West Virginia's Lawyer in the School program works to stabilize the lives of children enrolled at select elementary schools in West Virginia by providing on-site family legal assistance on issues like eviction, poor housing conditions, disrupted economic support, and lack of secure legal custody for children not living with biological parents. By helping with these kinds of problems, the program seeks to work collaboratively in a school setting to create better conditions for improved school attendance, educational attainment, health, and well-being for children and families.

Only students and their families enrolled at Mary C. Snow or Grandview elementary schools are eligible to receive help from the program onsite at the school.

Lawyer in the School staff and a pool of trained volunteer lawyers meet school families at the Mary C. Snow West Side Elementary and Grandview Elementary School in Charleston. Attorneys meet with families at Mary C. Snow every Monday and Wednesday from 1:45-4:00 p.m. while school is in session and from 12-2 p.m. at Grandview. The clinics provide families the opportunity to talk to a lawyer about their problem for free, so they can receive information, advice or get help filling out forms. Since the clinic started in January 2017, over 140 families have been provided with help through Lawyer in the School.

Lawyer in the School was initially funded by a 2-year grant from the Legal Services Corporation Pro Bono Innovation Fund. LAWV has recently been awarded funding from The Greater Kanawha Valley Foundation and The Kanawha Valley Council on Philanthropy to expand and enhance Lawyer in the School services. The Legal Services Corporation Pro Bono Innovation Fund has also awarded Lawyer in the School funding to support two more years of the program.

What We Do: Lawyer in the School staff recruit, train, and organize volunteer attorneys to come to Mary C. Snow and Grandview elementary schools for regular school-based legal clinics and provide back-up to volunteers.

- Clinics are held at Mary C. Snow every Monday and Wednesday from 1:45-4 p.m. while school is in session.
- Clinics are held at Grandview every Thursday from 12-2 p.m. while school is in session.

- The clinics provide families the opportunity to talk to a lawyer about their problem for free, so they can receive information, advice or get help filling out forms.
- If a family needs more extensive legal help, volunteer attorneys refer cases to LAWV for additional assistance or agree to handle the cases themselves.
- Common civil legal problems at the school are: custody, adoption, infant guardianship, eviction, housing, economic support issues, and employment issues.

The project takes a holistic approach by directly connecting families to community partners for non-legal aid and resources that support families. Some community partners we work with include: Catholic Charities of West Virginia, Goodwill, Healthy Grandfamilies, Union Mission, YWCA Resolve, and more.



Volunteer Lawyers Partnering with Lawyer in the School

Over 70 volunteer attorneys have assisted with the program, coming from many Charleston area law firms, including Steptoe and Johnson, Jackson Kelly, Bailey Glasser, Bowles Rice, Babst Calland, Frost Brown Todd, and more. Lawyer in the School has received high praise and positive feedback from its participatory attorneys as a meaningful pro bono program.

Many of the attorneys who have participated in Lawyer in the School have gone on to have other volunteer roles in their school, such as participating in their Read Aloud program. Our clinic is a welcoming atmosphere for attorneys looking to get started in a pro bono capacity.

If you are an attorney and are interested in volunteering, please contact us.



Debbie's Story: How Lawyer in the School Changed My Life



Debbie Thomas has two children: a teenage daughter from a previous marriage and an elementary-age son from a more recent relationship. Debbie separated from her son's father, Charles, because he had been verbally abusive to both children and verbally and physically abusive to her.

After the separation, Charles repeatedly broke into her home and made threats. She sought and was granted a domestic violence protective order; however, the order stated that they share custody of their son and exchange custody at a supervised location. Despite the order, Charles kept showing up at Debbie's home and workplace and followed her to "check on his son." He even climbed through a bedroom window one night when no one would answer the door. The kids were so terrified at night that they wouldn't sleep and would often miss school the next day.

Constantly living in fear was disrupting her family's life, so Debbie visited the Lawyer in the School clinic while she was picking her son up from school. A volunteer attorney advised Debbie on how to file a contempt petition for violation of a protective order for some immediate relief. Legal Aid was also able to assign her case to a volunteer attorney to provide court representation to file for a modification of custody and child support in family court. The case has since been resolved: Charles no longer threatens the family, and last semester, Debbie's son won an award for perfect attendance.

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LAWYER IN THE SCHOOL

START UP GUIDE

Helping families
resolve legal problems
to stabilize the lives of
children and promote
the conditions for
educational success

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LEGAL SERVICES CORPORATION



Developed by
Legal Aid of West
Virginia

August 2018



About Lawyer in the School

The Lawyer in the School program provides eligible parents and caregivers of children in public schools with the opportunity to receive free, brief legal information or advice from a lawyer at legal clinics held onsite at a school, staffed by Legal Aid of West Virginia attorneys and/or a pool of volunteer attorneys recruited specifically for the program.

Lawyer in the School works to stabilize the lives of children by providing onsite civil legal help to vulnerable school families on issues like eviction, disrupted income, and legal custody for caregivers, such as grandparents or relatives who are caring for children impacted by absent parents. These are legal issues where the assistance of a lawyer can make a difference in stabilizing the lives of children to reduce childhood trauma and promote the conditions for educational success for children.

Through the program, attorneys are available at the school on a regular basis to conduct an initial meeting with clients and offer information, advice, or assistance in filling out forms. If a family needs more extensive services, the attorneys work to address that issue if there is program capacity to do so. In addition to meeting the family's civil legal needs, Lawyer in the School works to holistically address related non-legal problems by directly connecting families with community partners who provide other resources supporting the overall well-being of the family.

About Legal Aid of WV

Legal Aid of West Virginia (Legal Aid) is a statewide, nonprofit law firm that provides free civil legal services and advocacy to low-income and vulnerable West Virginians. Our lawyers and advocates help families with legal problems like domestic violence, family law issues, housing problems, and public benefits. Because the legal need is so great, we engage private lawyers to provide pro bono legal help to our clients. Legal Aid receives funding from state, local, and federal agencies like the Legal Services Corporation.

Pilot Project



Mary C. Snow West Side Elementary School, site of Legal Aid's pilot project

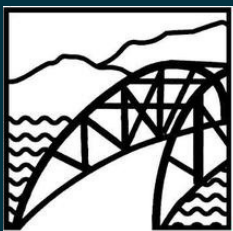
The first Lawyer in the School program started at Mary C. Snow West Side Elementary School (Mary C. Snow) in Charleston, Kanawha County, West Virginia. Operating since January 2017, the project started with funding from a two-year grant by the Legal Services Corporation, awarded to Legal Aid of West Virginia. The grant funding provided Legal Aid with the necessary attorney time to start and staff the program and to recruit volunteer attorneys to help school families through the program.

Mary C. Snow was chosen as the partner school because many school staff identified that school families were suffering from legal problems that they couldn't solve. It is not unusual for children who attend Mary C. Snow to come home and find that a landlord has tossed their belongings on the street. Many grandparents are raising students at the school but have no legal authority to seek medical care or income supports for the children.

Every Monday and Wednesday, from 2-4 p.m., project staff and volunteer lawyers meet school families in the art room at Mary C. Snow while school is in session. The program took off quickly, and school families regularly come to the legal clinic each week. Out of a school of around 400 students, over 140 school families have sought assistance through the program. The primary legal problems for which school families have sought help are often related to kids impacted by the drug crisis and their caregivers facing a broad range of civil legal issues, including child custody/guardianship/adoption and government benefits. Legal Aid also helps families facing issues related to domestic violence, housing, and employment.

Because of the large number of attorneys in Charleston, Legal Aid has worked hard to engage volunteer attorneys to help families at Mary C. Snow. This has been a successful component of the program, as it has increased Legal Aid's capacity to help families, with 77 volunteer attorneys helping at the school. The attorneys have enjoyed the experience, and some have also become engaged in the school in other ways like attending mentor lunches and volunteering for the Read Aloud Program.

Due to the program's success, Legal Aid has been able to obtain funding for two more years through local funders The Greater Kanawha Valley Foundation and The Kanawha Valley Council on Philanthropy, in addition to further sustainability funding from the Legal Services Corporation. Through this funding, Legal Aid will continue the program at Mary C. Snow and expand the program to Grandview Elementary, another school in Kanawha County.



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Greater Kanawha Valley Foundation and Legal Services Corporation

Constance's Story

Constance is a retired widow living on a small pension. She raised two children of her own and helped raise her niece after her sister died. That niece struggles with drug addiction and had a baby born addicted to drugs. Her parental rights were terminated shortly after the child's birth. The baby, Annie, was placed with Constance, and she has cared for her as a relative foster care provider for five years. Annie's father lives in another state and was incarcerated when she was born, but he was recently released.



Constance came to the Lawyer in the School legal clinic seeking to adopt Annie because she was worried that her father would try to take her to live with him out of state. His rights were never terminated, and he has sporadically sent money and gifts to Annie and visited her on a couple of occasions. A volunteer attorney working with the program agreed to help Constance.

After consulting with Constance and Legal Aid staff, it was clear that the biological father was not likely to consent to the adoption, and she could not prove abandonment based on their interactions. Annie would also not be eligible for certain public benefits she was receiving if Constance adopted her. Because of her attorney's assistance, the biological father was willing to enter into a custody agreement giving Constance primary legal and physical custody, with visitation as agreed upon by the parties. The Court also awarded child support payable to Constance for Annie's care.

These legal proceedings occurred without any notable interference with Annie's education. Annie received a perfect attendance certificate on awards day at the end of the school year and was also named Student of the Month for her grades.

Starting Lawyer in the School

Phase I: Laying the Groundwork

Starting a successful Lawyer in the School program requires understanding the needs and resources of both the proposed school and legal community in the area where the partnership will be established. These two initial steps are important to ensuring that there is sufficient buy-in and capacity to start the partnership, which will ultimately improve the success and sustainability of the program.

Step 1: Identifying School Partner(s)

- A.** Identify an appropriate host school by using data regarding school population, truancy, student performance, and school district income. It may be helpful to start by looking at schools that receive Title I funding because they have a high percentage of school children coming from low-income families.
- B.** Once a school has been identified, begin by talking with school administration explaining the program, outlining how it can help school families and, ultimately, the school. It is important to be clear about the expectation of what will be needed from the school, like space and time to meet with staff, to start a partnership.
 - i.** School nurses, attendance directors, and counselors are important staff to meet with, as they are often seeing and dealing with families that may need legal assistance.
 - ii.** A prior relationship with the school or county Board of Education office is helpful. If there is already school buy-in for moving forward, it is important to also obtain support from the County Board of Education office, including the County Superintendent.

C. Assess whether there are other school partners, like a local Handle with Care program or after-school programs, that would also be good partners in guiding families to the Lawyer in the School clinic. Perform outreach to them to assess their willingness and ability to partner.

Lessons Learned from Pilot Project

Lesson 1

Choose a school location that has been designated a “community school” or a school where other onsite services are offered, such as a school-based health clinic, public library, or community agencies. With community schools, families are more accustomed to coming to the school for other resources, meaning they will more likely feel comfortable seeking out legal help at the school.

Lesson 2

Based on Legal Aid’s experience, we believe elementary schools are preferred partner schools because there is generally a higher level of parent involvement with younger children, and parents pick up and drop off students more often than in higher grades.

Step 2: Assessing Capacity of Legal Partner(s)

- A.** Determine the proximity of a Legal Aid office to the school, and work with that office to assess staff capacity for a Legal Aid attorney, who would staff the clinic or organize pro bono attorneys to assist with staffing the clinic.
- B.** If it is best to consider pro bono to increase capacity, determine whether there are enough local attorneys willing and able to volunteer. For example, the school and Legal Aid can perform outreach to the local County Bar Association, if one exists.
- C.** If capacity is an issue for Legal Aid, this is the time to consider seeking dedicated funding for Legal Aid staffing of the clinic. Legal Aid and the school system should work together to identify and possibly apply for funding to operate the clinic.



Volunteer attorneys Jon Amores (left) and Christopher "Kip" Power

Lessons Learned from Pilot Project

Lesson 1

To initiate a new Lawyer in the School program, having Legal Aid staff with dedicated time to work on the project increases the likelihood of success and sustainability.

Lesson 2

Even if there is strong pro bono interest, the volunteers want to have Legal Aid staff available with them at the school, particularly at the outset of the program, to ensure volunteers are supported by attorneys with experience in the areas of law typical of a school setting.

Lesson 3

Legal Aid staff are also needed to ensure that the relationships with the school administration and staff are well-maintained so there is good on-going communication and coordination about the project.

Lesson 4

If there is going to be a pro bono component, the school and Legal Aid need to clearly define a policy for volunteer access to the school and whether there is to be any special training or background checks for attorneys participating in the program.

NOTE: In the pilot project at Mary C. Snow, the volunteers are typically at the school during very limited time frames, like when the students are leaving or have left the school, and do not interact directly with students.

Phase II: Building Infrastructure



Assuming the school and Legal Aid have resolved the issues around addressing needs and capacity, the next phase focuses on the details of how the program will operate at the school and how to build support for the program among school staff and community partners before launch.

- A.** Legal Aid and the County Superintendent, county level staff designated by the Superintendent, and/or the school principal must meet to agree on terms, outline expectations, and enter into a Memorandum of Understanding (MOU). Legal Aid has a sample MOU that could be used as a starting point.
- B.** Once an agreement has been established, the school and Legal Aid need to then identify a regular, consistent location(s) for the legal clinic at the school. The space must be a designated, confidential space located onsite at the school. The school should carefully think through all safety and security concerns and clearly outline who may or may not utilize the legal clinic.

C. The school and Legal Aid also need to set legal clinic days and times when attorneys will be available to meet with school families.

i. School administration and staff will have the best idea of the days and times when it will be most effective to reach parents. The days and times should always be the same so parents and staff are familiar with the schedule.

ii. If pro bono attorneys are going to be involved, Legal Aid will assess what days and times might be more effective in engaging volunteers.

iii. The school and Legal Aid should also discuss referral protocols for times when the clinic is closed, including summer and holiday vacations.

D. Before the project launches, it is important for Legal Aid staff to have an opportunity to meet with school staff, including school administrators, school nurses, guidance counselors, teachers, aides, cooks, and custodians, to talk about Lawyer in the School, when it will be available, how to refer families, and how it can help school families.

E. If using pro bono attorneys to help staff the program, Legal Aid will develop a plan for recruitment of volunteers at this phase. If possible, Legal Aid staff should plan to cover the first month of legal clinics to work out any issues before bringing in volunteers.



Lessons Learned from Pilot Project

Lesson 1

Given the importance of school safety, resolving issues around Lawyer in the School's use of school space and security are important issues to address upfront. There may be some logistical issues to work out and it is best to do these before launch if possible.

Lesson 2

Having an opportunity to speak with school staff before launch to address any questions or concerns is crucial toward obtaining their buy in for the program.

Lesson 3

At Mary C. Snow, the legal clinic is available at the times parents are coming to pick up children at the end of the day: generally 2-4 p.m. This has been a good time for the legal clinic to be available to parents because they are often coming to the school to pick up children anyway.



Debbie's Story



Debbie Thomas has two children: a teenage daughter from a previous marriage and an elementary-age son from a more recent relationship. Debbie separated from her son's father, Charles, because he had been verbally abusive to both children and verbally and physically abusive to her.

After the separation, Charles repeatedly broke into her home and made threats. She sought and was granted a domestic violence protective order; however, the order stated that they share custody of their son and exchange custody at a supervised location. Despite the order, Charles kept showing up at Debbie's home and workplace and followed her to "check on his son." He even climbed through a bedroom window one night when no one would answer the door. The kids were so terrified at night that they wouldn't sleep and would often miss school the next day.

Constantly living in fear was disrupting her family's life, so Debbie visited the Lawyer in the School clinic while she was picking her son up from school. A volunteer attorney advised Debbie on how to file a contempt petition for violation of a protective order for some immediate relief. Legal Aid was also able to assign her case to a volunteer attorney to provide court representation to file for a modification of custody and child support in family court. The case has since been resolved: Charles no longer threatens the family, and last semester, Debbie's son won an award for perfect attendance.

Phase III: Launch

Now for the exciting part: launching Lawyer in the School! You've worked through all the details and are ready to start helping school families.

Reaching school families and continuing to engage school staff about the program is key at this phase.

A. Each school communicates with parents a little differently, so there will likely need to be a school-by-school approach. Examples of what can be done include: sending home flyers in school back packs, creating signage to be placed throughout the school, robocalls to parents, Facebook posts on the school page, information posted to school electronic billboards, and notices sent to parents electronically through services like Class Dojo or Schoology.

B. Legal Aid will need to develop a set of resources and tools for the legal clinic, like court forms, laptops, and printers, that can be brought to the school to help serve families during the legal clinics. It is ideal if there is a secure space where Legal Aid can leave these resources when needed. Legal Aid may also need access to the school's Wi-Fi network.

C. With the details about the clinics outlined, the school and Legal Aid will then need to perform outreach to community programs with information about the clinics. Target audiences should include faith leaders and nonprofits that serve the school community.

D. As the clinic begins operating, Legal Aid will also implement its pro bono recruitment plan, if possible. Once Legal Aid staff feel there is a regular flow of school families coming to the clinic to seek help, they will start to engage volunteers at the school. Volunteers will first be given an orientation by Legal Aid and provided with a short manual that describes the volunteer experience and what to expect.

E. Outreach to school families never ends. Even after the initial push to let families know about the legal clinic, there will be regular reminders sent home, possibly through flyers each month that provide legal information to families. Also, it's important for Legal Aid and/or volunteers to be visible at school events outside of clinic hours, when possible.

Lessons Learned from Pilot Project

Lesson 1

It's helpful if the school invites Legal Aid staff and volunteers to attend school events to perform outreach, like parent nights or award ceremonies. These are key opportunities to let parents and families know about the program and its services.

Lesson 2

It's important to have a consistent, designated location and time for clinics, with visible posters at the school as a constant reminder to school staff and visitors of the dates and times that attorneys are in the school.

Lesson 3

Although Legal Aid staff and volunteers cannot share specific information about the families helped in the clinic, the school staff like to know that families are being helped. Presentations at faculty senate meetings or staff meetings/curriculum development days are opportunities to update staff on the number of families served and the types of assistance given.

Phase IV: Sustaining and Growing the Partnership

Once Lawyer in the School has launched, it is important for Legal Aid and the school to consider how the program will continue and grow. If grant funding is involved, there will be important data to collect about the program. Even if grant funding is not involved, keeping data is important to demonstrate the impact of the program.

A. Legal Aid will track of the number of families that seek help from Lawyer in the School. The specific case information cannot be provided to the school without the client's permission, but Legal Aid can provide numbers of cases and an overview of the types of issues that are being handled.

B. The school should work with Legal Aid to provide access to the overall number of school transfers and attendance data. If Legal Aid can obtain releases from school families, it is helpful if the school can share specific attendance/transfer dates of families served through clinic.

C. Legal Aid will also survey and work with parents and guardians to obtain information on improved grades and behavior from students.

D. As an expansion, Legal Aid and the school may want to consider whether it would be beneficial to offer parent education workshops to educate school families about their legal rights around housing, benefits, and effective self-advocacy.

E. If there is going to be a pro bono aspect at the designated school, Legal Aid will keep track of the number of volunteers, the number of hours volunteered, and if those volunteers go on to serve the school community in other ways.

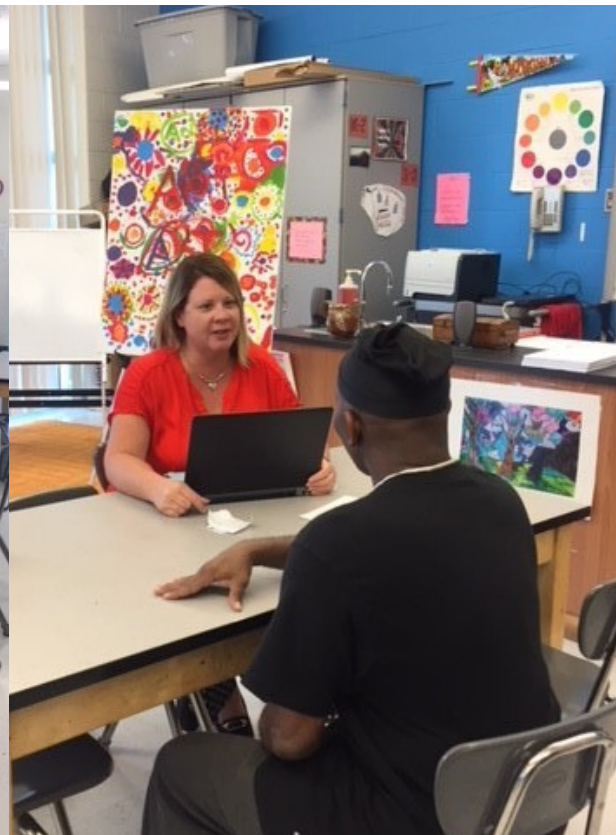
Lessons Learned from Pilot Project

Final Lesson

The program is working to resolve legal needs of school families. Legal Aid is able to stabilize more families by meeting them in a familiar, comfortable, and convenient location. OVER 90% of the families who participated the Lawyer in the School clinic at Mary C. Snow reported that they would not have had anywhere else to go and likely would not have received help without the program.



The art room at Mary C. Snow where legal clinics are held



A client meets with Legal Aid staff at Mary C. Snow.

Winnie's Story



Winnie Davis is a grandmother who is raising her grandson, Jacob, a student at Mary C. Snow. Winnie is a home health worker, and she was suspended from work without pay or explanation. After two weeks of calling to see when she could return to work, only to be told to “call back tomorrow,” she came to the legal clinic. She was desperate. She had missed one paycheck, and if she missed one more, she would not be able to pay her rent.

The day after Winnie's visit, a Lawyer in the School attorney contacted her employer's headquarters to discuss the suspension. The HR officer agreed that the situation was not handled properly and reinstated Winnie on the spot. Winnie was able to return to work the very next day. Because of the speedy resolution, she did not miss a second paycheck, enabling her to meet her monthly obligations, including rent. Because she and her grandson were able to remain in their home, Jacob did not have to move schools and remained at Mary C. Snow, his home school since kindergarten.

Conclusion

Based on our pilot project, Legal Aid has seen firsthand how a school-based legal clinic can resolve legal problems that contribute to homelessness, hunger, access to health care, disrupted school attendance, and overall family instability. Particularly as schools are faced with children and families experiencing complex problems, in part due to the drug epidemic, this model works in a complementary way with other school services like counseling. This combination of services helps reduce the impact of childhood trauma while educating and assisting school families in a way that promotes student attendance, educational attainment, physical health, and emotional well-being.

Legal Aid has also seen how helpful volunteer attorneys can be to providing these services, while encouraging further lawyer engagement in the school community. Legal Aid would like to work with new schools and counties to consider whether this model might work in other areas.

Contacts

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2017-2020

Legal Aid of West Virginia – Strategic Plan



Introduction:

Legal Aid of West Virginia (LAWV) has served West Virginia as a statewide program since 2002, “seeking justice and changing lives” through legal services and advocacy. LAWV is a key player in West Virginia’s justice community and delivers vital services addressing access to safe and affordable housing, reducing barriers to employment, protecting families from domestic violence and improving access to public benefits, health care and education for our state’s poorest and most vulnerable populations.

Over the last five years, West Virginia’s dismal jobs outlook, along with a devastating drug epidemic, have changed our state’s economic and community-level landscapes. These current difficulties, combined with an already high situational and generational poverty rate and a lack of investment in our social, technology and business infrastructure, are challenging West Virginia’s efforts to build a bright future, particularly for rural residents.

Equal access to justice is a hallmark of a strong society and a cornerstone of our democracy. And a robust and healthy Legal Aid is vital to achieving equal access to justice for the poor. A growing “justice gap” between the need for legal services and the resources to support them puts this fundamental concept at risk and has additional implications on our state’s ability to address economic and social inequities.

With this Strategic Plan, LAWV has taken a fresh look at the issues facing the state and selected those which pose significant threats to social and legal justice and those where a creative, innovative LAWV can make a difference to individuals and communities caught in a cycle of poverty and inequity.

This Strategic Plan is LAWV’s fifth, building on more than twelve years of strategic thinking and planning. The Plan presents strategic priorities, goals and objectives that are both realistic and aspirational. It navigates choices and challenges through the thoughtful and intentional allocation of limited resources and with a special focus on sharpening the impact of LAWV’s work for clients and communities.

For the next three years LAWV will be guided by this Plan. It is built on a solid foundation of core values, a clear statement of mission, and specific strategies for action, which will guide LAWV through 2020. Six broad strategic priorities with twenty-one supporting goals are the basis of the Plan. The Plan recognizes that LAWV will continue to provide the highest quality advocacy, while ensuring a diverse funding base to sustain services, staffing, and a strong infrastructure. A deepened commitment to work on key issues is emphasized in the priority areas of delivering high-quality, high impact client services and in engaging the client and stakeholder communities through outreach, education and service collaboration.

The following pages detail the process used to formulate the Plan and those involved. The process was designed to engage the Board, staff, community partners, stakeholders and client eligible West Virginians. We are grateful for the leadership of Strategic Planning Committee

Chair Marjorie McDiarmid and for the guidance of national consultant John Tull. The seven Community Listening Sessions, facilitated by John in August 2016, provided information that was essential to the development of this Plan.

This Plan is centered on a needs assessment process reflecting Legal Aid’s clients and client communities and is aligned with the American Bar Association Standards for the Provision of Civil Legal Aid and the Legal Services Corporation’s Performance Criteria.

Implementation will begin with the adoption of the Plan by the LAWV Board of Directors on September 15, 2017 and will continue through December 31, 2020. Overall monitoring of implementation is the responsibility of the LAWV Executive Director with quarterly reports to the LAWV Board of Directors. The Executive Director will oversee the adoption of action plans for each of the 21 goal areas by the LAWV Management Team. The Board will update the Plan during the three- year time frame as needed.

Our Process



INFORMATION GATHERING:

- Seven Community Listening sessions - held in Logan, Beckley, Institute, Parkersburg, Wheeling, Clarksburg and Martinsburg in August, 2016.
- Report produced by consultant John Tull and distributed to LAWV staff and Board members and community participants in October, 2016.
- Priorities Survey of Bench and Bar; Circuit Clerks and Magistrate Clerks; and Legislators in March, 2017.
- Additional Priorities Surveying at three southern West Virginia DHHR offices by LAWV Board and staff members in June, 2017.
- Much internal case data was gathered at the request of the Task Forces, Advocacy Support Group or Management Team. A list is included below of data provided to the Strategic Planning Committee at their request.

STAFF INVOLVEMENT

- Community Listening Session attendance
- Task Force, Advocacy Support Group and Management Team participation
- All Staff Meeting – November, 2016
- Strategic Planning Committee membership
- Draft Strategic Plan review by: Task Force Chairs, Advocacy Support Group, Supervising Attorneys, Management Team and all LAWV staff

TASK FORCES:

- LAWV Task Forces include: Barriers to Self Sufficiency*, Benefits, BHA Facility*, Children's Advocacy, Community Economic Development*, Family Law/Domestic Violence, Financial Exploitation, Housing, Social Security and Veterans. (*New Task Forces created out of the Strategic Planning Process.)
- Task Forces have been meeting regularly since September, 2016 after a training session linked to managing projects. All LAWV advocacy staff belong to a Task Force.
- As part of the Strategic Planning effort, each task force was given 14 questions to answer, with some specific questions around current work, coordination, partnerships, reaching trauma- affected clients and those with mental illness. They also answered the questions:
 - What are priorities with our limited resources
 - What types of cases will we undertake and why?
 - What are we trying to accomplish?

- Each Task Force suggested advocacy goals and priority categories of substantive work.

ADVOCACY SUPPORT GROUP:

- Reviewed Task Force answers to in-depth questionnaire about LAWV work in each substantive area in February, 2017.
- Follow-up meetings were held in March, May and July 2017, which included discussion about:
 - Prioritizing case volume, level of service, substantive priority areas, geography, capacity.
 - Advocacy goals and priority categories of substantive work by task force.
 - Initial draft of the strategic plan.

MANAGEMENT TEAM:

- Various parts of Strategic Plan and process discussed at February, March, April and July, 2017 Management Team meetings.
- Management Team work groups produced goal recommendations in different Strategic Priority areas.

STRATEGIC PLANNING COMMITTEE:

Meeting dates:

- **Wednesday, March 29 - 10 a.m. – 3-p.m.**
- **Wednesday, April 26 – 10 a.m. – 3 p.m.**
- **Wednesday, May 24 – 10 a.m. – 3 p.m.**
- **Wednesday, August 30 -- 10:30 a.m. – 3 p.m.**

COMMITTEE MEMBERS BY POSITION:

- ***INITIAL MEETING FACILITATOR - March:*** John Tull
- ***MEETING FACILITATOR – April, May, August:*** Marjorie McDiarmid

Board Members:

- Marjorie McDiarmid, Chair of Strategic Planning Committee
- Andy Nason, President of LAWV Board
- Bob Baker
- Jacqueline Scott Dawkins

- Sabrina Shrader
- Ted Boettner
- Alyssa Sloan
- Nigel Jeffries

Managers:

- Adrienne Worthy, Executive Director
- Kerry LeMasters, Administrative Director
- Tammy Mullins, CFO
- Gretchen Lewis, Legal Director
- Erica Pulling, Communications/Development Director
- Chris Martin, Information Technology Director
- Kelly Beck, Martinsburg Supervising Attorney

Staff Members:

- David Estep, Wheeling attorney (specializes in housing)
- Kristina Harris, paralegal (specializes in intake)
- Cathy Jo Townsend-Estep, paralegal (specializes in benefits cases)
- Jennifer Taylor, Charleston attorney (specializes in financial exploitation, Ombudsman cases)
- Melissa Hager, Princeton attorney (specializes in kids' education, FAST)
- Kathy Carpenter, Parkersburg legal assistant (specializes in client/staff support)
- Teri Stone, Huntington advocate (specializes in adult mental health)

COMMITTEE MEMBERS BY LOCATION:

- Eastern Panhandle: Kelly Beck, Alyssa Sloan
- Northern Panhandle: David Estep
- Southern West Virginia: Bob Baker, Jacqueline Scott Dawkins, Sabrina Shrader, Melissa Hager
- North Central West Virginia: Marjorie McDiarmid, Kathy Carpenter
- Charleston/Huntington Area: Andy Nason, Ted Boettner, Nigel Jeffries, Adrienne Worthy, Kerry LeMasters, Tammy Mullins, Gretchen Lewis, Erica Pulling, Chris Martin, Kristina Harris, Cathy Jo Townsend-Estep, Jennifer Taylor, Teri Stone

INFORMATION DISTRIBUTED TO THE STRATEGIC PLANNING COMMITTEE:

- Visual - Process by When/What
- Visual - Process by Who/How

- Community Listening Session Executive Summary
- Community Listening Session Report
- Advocacy Approaches in other locations
- List of Strategic Planning Committee Members
- Planning Strategically When Times Turn Bad: Some Follow-up Thoughts and Two Real Life Examples by John Tull (2013)
- Planning Strategically When Times Turn Bad: Old Lessons and New Insights by John Tull (2010)
- Chart - LAWV Results of 2017 Justice Gap Survey
- Chart - 2016 LAWV Funding: Restricted versus Unrestricted
- Chart - 2016 Overall Case and Client Information Sheet
- Chart and Map – Percent of Total Population in Poverty – 2015 – WV
- Map – Poverty Percentage by Office Region and by Total in Poverty in the of State
- Operational Goals Mind Map
- Direct Advocacy Goals Mind Map
- 2016 Cases Closed by Case Category (and Funding Source)
- 2016 Cases Closed by Funding Source (and Case Category)
- 2016 Cases Closed by WV County
- Management Team Operational Goals (Access; Communications and Development; Human Resources and Diversity; Technology; Training)
- ASG – Infrastructure Goals
- Advocacy Goals by Task Force and Categories of Substantive Areas of Law by Task Force
- Summary of DHHR Client Surveying (2017)



Vision, Mission and Core Values

LAWV's Strategic Plan will be guided by an inspiring vision for the future, a clearly defined mission, and core values reflective of the Board and Staff.

Vision:

The vision of Legal Aid of West Virginia is to seek justice and transform the lives of West Virginians in vulnerable or disadvantaged situations.

Mission:

Legal Aid of West Virginia seeks fairness and equal access to justice through legal services, advocacy and system change.

Core Values:

The Board of Directors and Staff of Legal Aid of West Virginia believe in and are dedicated to:

- Identifying and addressing the needs of our client communities;
- Empowering clients through self-education and advocacy;
- Providing high quality and effective services;
- Bringing justice to client communities through systemic change;
- Effectively and strategically using our resources;
- Being a voice with strength and integrity;
- Respecting, supporting and caring for our clients, staff and board members; and
- Ensuring involved and committed leadership and governance by LAWV's board of directors.

LEGAL AID OF WEST VIRGINIA

DRAFT - STRATEGIC PLAN

2017-2020

Strategic Priority 1:

Improve Access to LAWV Services:

Goal 1: Increase inter-unit, inter-office, ATLAS, and PAI collaboration to improve the effectiveness of services provided to LAWV clients, especially those with multiple and complex challenges.

Objective 1: Increase communication across units, local office advocates, ATLAS and PAI about ways LAWV can serve clients more collaboratively.

Strategies / Activities:

- Work with Advocacy Support Group and Client Access Advisory Team, to assess ways LAWV staff can discuss cases and clients collaboratively and implement recommendations of those groups.
- Consider uses of technology to serve clients more effectively across the program, such as Skype to serve clients in underserved areas of the state or offices without specialized areas of knowledge.

Objective 2: Streamline internal process for collaborating and referring cases between units, offices, ATLAS and PAI.

Strategies / Activities:

- Develop clear processes and forms, using technology, for referring cases to advocates in other units, offices, ATLAS, and PAI staff.
- Provide regular training to ensure all LAWV management and staff are aware of the possibilities and processes for referral.

Objective 3: Ensure all intake and advocacy staff are adept at delivering trauma-informed services to clients and applicants.

Strategies / Activities:

- Work with LAWV staff and outside experts to develop on-line training resources and in-person trainings for staff.
- Develop intake and case-handling protocols that formalize trauma-informed best practices.
- Require annual training in trauma-informed services.

Goal 2: Increase successful external communication with applicants, clients and volunteers using technology.

Objective 4: Improve client intake systems.

Strategies / Activities:

- Implement a triage system in front of our online intake system to:
 - Provide ineligible or non-priority applicants with resources (information or referral) before they apply.
 - Filter out obviously ineligible applicants before they complete an application.
- Implement Online Intake process improvements to improve callback success.
- Evaluate implementing a triage system in our telephone intake system to guide people who may be ineligible, exploring concerns about increasing the difficulty of navigating our intake system or creating trauma for applicants.
- Facilitate prompt, accurate offsite intake for rural access and emergency intake.

Objective 5: Implement more ways to communicate with applicants, clients, and volunteers.

Strategies / Activities:

- Use SMS (text messaging) for reminders and other one-way communication.
- Implement automated email satisfaction surveys for closed cases as well as for trainings.
- Deploy a client status web portal where current clients can log in to check the status of a case, provide information or documents, and retrieve documents.

- Send automatic emails or text messages to pro bono portal users concerning available cases within their chosen practice areas as well as “thank you” messages.
- Expand the use of videoconferencing to include remote client representation and clinics.

Goal 3: Increase the quality and quantity of LAWV’s technology-based self-help resources.

Objective 6: Sustain an effort to create and improve client self-help information and resources.

Strategies / Activities:

- Create an Advocacy, Training, and Technology Attorney position to increase capacity and lead development of more and better electronic and other resources for the public as well as internal advocacy and training resources for staff.
- Implement a live chat system on our website to help people find resources on our website or refer them to other agencies or resources.
- Update and move the Helpful Organizations database (local resource bank) from our legacy website to our SharePoint site.
- Work with the Access to Justice Commission to increase the quantity and quality of LawHelp forms available for public use.

Strategic Priority 2:

Deliver High Quality, High Impact Client Services

Background:

Staff and board members have spent a considerable amount of time, appropriately, focused on the work LAWV should be doing over the next three years. LAWV’s Substantive Task Forces, the Advocacy Support Group, the Management Team and the Strategic Planning Committee have gathered, reviewed, discussed and prioritized the information. Strategic Priority 2, as detailed below, is the core of this Plan.

The Advocacy Support Group developed a set of principles upon which to base this work and a set of infrastructure goals to support it. (The infrastructure goals are listed below for informational purposes only – they are all included in other strategic priority areas as specific goals.)

Strategic Advocacy - Principles:

- *We work “smart” and use LAWV resources wisely. If there are other available resources that provide good quality legal or advocacy services to prospective LAWV clients for free (or no fee up front) in certain areas of the law, we avoid duplication.*
- *We leverage other resources where possible.*
- *We identify issues or cases on which we can effect change for a broad group of LAWV clients and potential clients.*
- *We avoid expending agency resources on cases that are both time intensive and where staff assess that their involvement is unlikely to make a significant difference in the outcome for the client.*

Strategic Advocacy - Infrastructure Goals:

- *Develop a conscious strategy for client and community outreach program-wide.*
- *Allocate resources to develop and implement program-wide, consistent (in appearance, format and style) client and communication education and outreach materials*
- *Each Task Force will develop an annual list of areas for high impact advocacy, criteria therefor, and benchmarks.*
- *Cross-train staff on all areas of advocacy at a high level, on internal resources and on issue spotting.*
- *Engage with local resources on behalf of our clients and attend regular meetings of local resource groups as appropriate.*
- *Further develop LAWV’s current goalsetting process to align staff and organizational strategic advocacy goals.*

Goal 4: Focus intake, advocacy and outreach efforts across funding streams to address critical systemic issues identified in needs assessments including Community Listening Sessions

Objective 7: Develop advocacy goals in the following two priority systemic areas across funding streams:

- 1) Barriers to economic opportunity for individuals and targeted communities**
- 2) Impact of the drug epidemic on families, especially the welfare of vulnerable children and adults**

Strategies/Activities

- Barriers to economic opportunity for individuals and targeted communities
 - Working with community agencies to support revitalization of targeted communities distressed by economic or natural disasters
 - Leveraging on-going funding to sustain and grow current community development activities.
 - Partnerships with community schools, colleges and libraries.
 - Expanding legal and advocacy work in benefits practice area.
 - Expanding legal and advocacy work in employment and unemployment practice areas.
- Impact of the Drug Epidemic on Families, Especially the Welfare of Vulnerable Children and Adults
 - Addressing kinship legal issues for family members raising children.
 - Addressing housing security, safety and income stability for families raising children.
 - Expanding advocacy and prevention services regarding financial exploitation of vulnerable individuals.

Objective 8: Maximize use of program resources to support work in the housing, benefits and employment practice areas, particularly to support strategic advocacy goals.

Strategies/Activities

- Ensure local office protocols reflect Strategic Plan goals.
- Explore regional service approaches to maximize available resources.
- Work with management at all levels to ensure all offices have the staffing/service capacity to meet Strategic Plan goals.
- Develop a statewide approach to case acceptance determine appropriate services for priority and lower priority cases. (This means that when there is specialized funding, especially domestic violence funding, cases are accepted to the limit of that funding. Unrestricted funding will be preserved for priority areas of casework without specialized funding.)

Goal 5: Better use the existing LAWV structure (advocacy, intake, technology, grants management) to support high-impact work

Objective 9: Develop and manage annual advocacy goals by substantive area.

Strategies/Activities

- Each Task Force will annually develop **ONE** strategic advocacy goal from their substantive area in one of LAWV's two strategic advocacy areas (e.g. Housing Task Force could develop ONE housing goal related to economic opportunity or ONE housing goal related to the impact of the drug epidemic on families).
- Each Task Force will annually complete and work from a common template about the goal that defines:
 - Internal Activities
 - Coordination/collaboration with various staff
 - Training of staff
 - Partnerships across offices and units
 - Benchmarks and measurable outcomes
 - External Activities
 - Outreach to community
 - Partnerships with community
 - Access
 - Services
- The Legal Director will manage the advocacy work of the Task Forces, working with other managers and Task Force leaders to ensure success.
- The Advocacy Support Group will collaborate with the Legal Director to support the Task Forces' advocacy work.

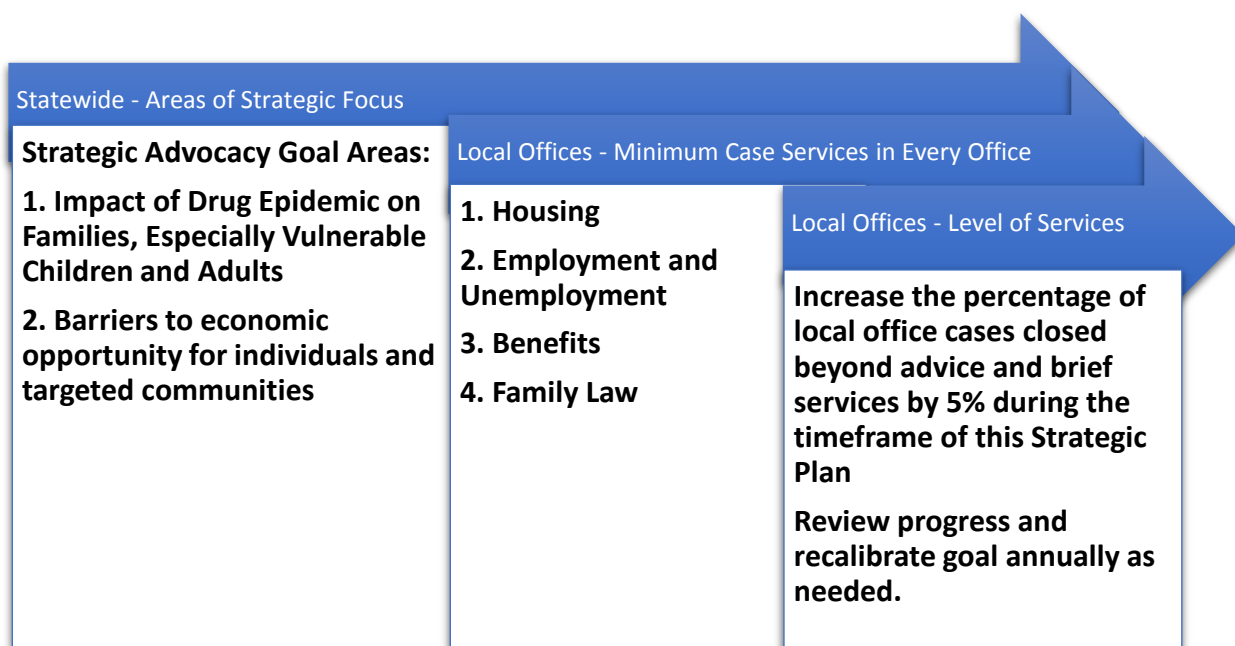
Objective 10: Ensure consistent services throughout LAWV's network of offices, aligned with LAWV's strategic advocacy goals, while increasing the level of services (beyond advice and brief services) and breadth of case work (to include new strategic priority goals) delivered via local offices (see table below).

Strategies/Activities

- Work with Supervising Attorneys, Legal Management and Task Forces to ensure that local office protocols, systems and staffing are aligned with LAWV's strategic priority goals.
- Work with Supervising Attorneys and Legal Management to develop ATLAS and local office protocols, staffing and systems across all grant funding streams to increase the percentage of local office cases closed beyond advice and brief services by 5% during the timeframe of this Strategic Plan. (Review progress and recalibrate goal annually as needed.)

- Simplify ATLAS protocols based on organizational priorities.
- Define minimum services in the Case Services Policy (case type and level of services) that must be available in every LAWV office and ensure that they are available.
- Train advocacy staff to ensure they have the substantive knowledge and skills to deliver the minimum services required in each office.

Local LAWV Office Services:



Objective 11: Ensure consistent use of key data by supervisors, staff and advocacy leaders to track progress toward strategic advocacy goals.

Strategies/Activities

- LSM and MAGT, with input from the ASG, will develop a report(s) that provides data needed by supervisors, staff and Task Forces to track progress toward strategic advocacy goals.
- All supervisors, advocacy staff and Task Force chairs will be trained on how to produce and use the data for their respective goals.
- The ASG will review organization-wide data on a regular basis.
- The LD will manage progress toward strategic advocacy goals, working with ASG and Task Force Chairs.

Goal 6: Further develop and enforce standards of best practices for case handling, supervision and workload management for all staff.

Objective 12: Ensure the delivery of high quality services to LAWV clients.

Strategies/Activities

- Develop and maintain a centralized internal source of on-line resources to support high quality legal and advocacy work.
- Develop and implement a process for sharing and updating model legal pleadings, letters, advocacy information and research.
- Ensure all legal and advocacy work is performed in accordance with LAWV case handling and unit guidelines.
- Develop resources to support staff use of LawHelp forms.
- Make quality the key factor in case reviews.

Strategic Priority 3:

Engage Client and Stakeholder Communities through Outreach, Education and Service Collaboration

Goal 7: Develop community outreach at places where our clients go to seek help with other services, such as libraries, schools (community and college), family resource centers, and other local community organizations.

Objective 13: Broaden focus of Client Access Advisory Team (CAAT) to better organize LAWV's statewide and local efforts to engage the client community where they are, in the ways that are best for them.

Strategies/Activities:

- Use CAAT as the internal LAWV group to develop an intentional, local office outreach strategy, with a RURAL emphasis, involving each LAWV

office (and all units) annually, if possible focusing on one non-traditional or informal network for outreach each year.

- Designate an outreach coordinator in each office to coordinate materials and participating in outreach activities including attending meetings of local resource groups.
- Work with supervisors and within grants to ensure staff have time to dedicate to community outreach, to further LAWV's advocacy goals.
 - Perform staff training about outreach best practices through statewide conference or other meetings.
 - Ensure all staff are consistently recording outreach activities in KEMPS.

Objective 14: Provide standard, updated legal and advocacy information in all LAWV offices and in the community.

Strategies / Activities:

- Develop electronic resource site where all LAWV information for the public (handouts, flyers etc.) is centralized and available for local office use.
- Develop standard presentation and materials for clerks, libraries, community groups with client focused information including eligibility, services and contact information.
- Develop process for reviewing and updating LAWV legal and advocacy information resources annually.

Goal 8: Prioritize outreach efforts that will lead to an increase in targeted access and services for clients.

Objective 15: Build on successful outreach efforts that align with strategic advocacy goals and focus new efforts in the same areas.

Strategies/Activities

- Prioritize seeking funding to sustain and expand partnership(s) with a community school(s) as successful example of collaboration and services focusing on both strategic advocacy goals.
- Align outreach to focus on strategic advocacy issues and cases (economic opportunity and drug epidemic).

Objective 16: Create new collaborative service and outreach partnerships when they are budget neutral or when grant or fellowship funding is available.

Strategies/Activities:

- Prioritize seeking grants and funding to provide LAWV legal services onsite at libraries, family resource centers and other local community organizations.
- Target creating a formal service partnership with a community college.
- Target creating a formal outreach partnership with state libraries.
- Target creating at least one Medical Legal Partnership with substance abuse treatment and/or community behavioral health center.

GOAL 9: Increase the visibility of Legal Aid among targeted stakeholders statewide, and build a reputation as a provider of expert knowledge on the legal and policy issues facing low-income and vulnerable people.

Objective 17: Better educate state and local press about Legal Aid’s presence and mission, and engage them in stories and issues relevant to Legal Aid.

Strategies / Activities:

- Devise a target list of key journalists/press outlets to approach.
- Develop regular story pitches, with assistance from LAWV staff, especially program directors.
- Set goals for one-on-one meetings with press people/outlets for pitches.
- Ask every director (management level) to develop an annual calendar of events and stories relevant to their program area for use with news media.

Objective 18: Broaden our communications outreach to include non-traditional connections like legislators and policymakers, businesspeople, and community leaders.

Strategies/Activities:

- Gather information about which organizations/task groups/commissions, etc. Legal Aid staff already participate in, highlight their roles through social and traditional media.
- Determine if there are other external bodies or institutions where Legal Aid could provide strategic perspective to external task forces/study groups/commissions, and seek participation in at least one external group.
- Develop a Legal Aid “Speaker’s Bureau” consisting of 4-6 LAWV attorneys who are experts in their field, have a prepared, dynamic presentation on a given legal topic, and are willing to speak to interested groups (lawyers and non-lawyers) as requested.

Objective 19: Connect communications resources for better, more comprehensive coverage of LAWV and its staff and activities

Strategies/Activities:

- Create a place via SharePoint for “technical” communications resources (e.g., communications standards, templates, etc.) AND creative resources (e.g. a Legal Aid “story bank,” royalty-free stock photography, and a place to share their own photos taken at events/in the field.)
- Develop a process by which appropriate social media is “recycled” across channels (e.g. blog posts that can be shared on Twitter, Facebook posts included on the website, etc.)
- Provide local offices with display materials.
- Finalize LAWV communications manual.
- Explore use of VISTA or intern to assist with both internal and external communications, particularly as it relates to coordination with staff.

Strategic Priority 4:

Ensure a Committed, Highly-Qualified, Well-Supported and Unified LAWV Team

Goal 10: Provide a salary and benefit package that supports retention and recruitment of high quality staff.

Objective 20: Maintain market relevant salaries.

Strategies/Activities:

- Review LAWV salary scales every 2-3 years and “creep” when appropriate.
- Work with an outside consultant to perform a salary market study
- Prioritize annual staff increase by inclusion in LAWV budgeting process.

Objective 21: Maintain comparable benefit package which supports LAWV employees and families.

Strategies/Activities:

- Complete an annual review of LAWV benefit package and report to staff.

- Continued support for provision of family-friendly benefits for LAWV employees.

Objective 22: Incentivize staff to elect employee contributions to the LAWV 403(b) plan.

Strategies/Activities:

- Work with the LAWV retirement advisor to provide employee education regarding retirement financial planning.
- Review LAWV 403(b) policies regarding contributions to identify areas that may increase employee contributions.

Goal 11: Recruit, hire and support a diverse, qualified staff to ensure a high-performing workforce.

Objective 23: Educate employees and managers on EEO, diversity, and inclusion matters to promote competency in maintaining a fair, high-performing, and healthy work environment.

Strategies/Activities:

- Create LAWV Diversity Advisory Group, with both staff and if helpful, non-staff members.
- Assess LAWV's staffing make-up and develop strategies to decrease underrepresentation and eliminate barriers.
- Develop recruiting materials to increase diversity.

Objective 24: Communicate with employees about diversity, implicit bias and inclusion to heighten awareness and share best practices.

Strategies/Activities:

- Work with LAWV Diversity Advisory Group to assess staff attitudes, concerns and issues around diversity, implicit bias and inclusion.
- Train LAWV staff about the impact of implicit bias on their work with clients and colleagues.

Goal 12: Develop and maintain policies and procedures that support employee work satisfaction and professional development.

Objective 25: Create environment which supports productive, challenging and rewarding work.

Strategies/Activities:

- Further develop LAWV's current employee goalsetting process to align individual and organizational strategic advocacy goals.
- Establish a committee to explore methods to incentivize employee career development.
- Prioritize opening Level II positions when funding is available.
- Implement individualized training plans for each LAWV employee, developed by the supervisor with input MAGT or other appropriate managers.
- Evaluate administrative work performed by LAWV advocacy staff and reduce where possible.

Objective 26: Provide support for LAWV offices during a period of staff transition.

Strategies/Activities:

- Develop formal transition plan for loss of Supervising Attorney.
- Convene an ad hoc transition committee when a vacancy occurs, chaired by the Legal Services Manager/unit director and including the Administrative Director, to address issues which arise during staff transition.

Goal 13: Increase convenient, trackable, high-quality training options for LAWV employees using technology.

Objective 27: Prioritize funding an Advocacy, Training and Technology Attorney or Legal Fellow to support development of on-line public advocacy resources and internal training curriculum. (Funding of this position will determine the capacity to fully develop LMS and substantive training as noted below, as well as impact LAWV's ability to further develop self-help information and resources outlined in Goal 3.)

Strategies/Activities:

- Fund this position through core staff funding, TIG grant, ATJ tech fellow, law school collaboration or other grant/partnership sources. (Funding of this position will determine the capacity to fully develop LMS and substantive trainings as noted below.)

Objective 28: Create a web portal for internal training resources – a Learning Management System (LMS).

Strategies / Activities:

- Develop a system that is flexible, trackable, allows supervisory monitoring
- Ensure the system saves resources on orientation and subsequent trainings, allowing employees on-demand access to the appropriate resources

Objective 29: Develop a core set of on-line training resources and sequences for program advocacy staff

Strategies/Activities:

- Create online, just in time training for LMS using Articulate Storyline interactive classrooms, video, text, links to augment/ supplant in person training on:
 - Substantive legal topics (“Fundamentals” and “Beyond the Basics” sessions in Housing, Benefits, Employment, Family Law, Protective Orders, Social Security, etc.)
 - Orientation topics (LSC Regs, Program Policies, Introduction to Units and to Key Managers)
 - Topics related to Professional Responsibility and Ethics in a LAWV Context (including unauthorized practice issues for paralegals and legal assistants)
 - ATLAS and Legal Assistant topics
 - Paralegal topics – especially geared towards working collaboratively with and supporting team attorneys on a broader range of matters
- Develop sequences to include live trainings, online trainings accessed through the LAWV training portal, COURT trainings, and “gold standard” trainings offered in particular substantive areas (e.g. NOSSCAR for Social Security practitioners).
- Include a sequence working with trauma survivors and clients with behavioral health issues, and an introduction to West Virginia’s social safety net including overview of safety net benefits available through DHHR and SSA, a review of key agency community partners, and information about CPS, APS, and child advocacy centers.
- Use “core training” materials as a means of staff attorneys obtaining cross training.
- Cross train all other advocacy staff on high-level advocacy, on internal resources and on issue spotting.
- Provide annual training to legal and administrative staff.

Goal 14: Promote healthy lifestyles for LAWV employees.

Objective 30: Promote local office wellness programs.

Strategies/Activities:

- Utilize PEIA Pathway to Wellness Program to provide statewide wellness program.
- Educate staff regarding wellness initiatives available to them through LAWV benefit providers.

Strategic Priority 5:

Plan for Long-term Financial Health and Stability

Goal 15: Broaden LAWV's fundraising base and increase overall dollars raised through private fundraising.

Objective 31: Further Develop the *Just One Annual* campaign.

Strategies/Activities:

- Move to a "city-based" model (similar to the strategy in Charleston) as appropriate (i.e., in cities where there are at least some existing relationships and a base of support to build from).
- Expand the number of firm participants each campaign year by recruiting early in the year.
- Increase matching among participating firms.

Objective 32: Develop a formal annual major gift plan.

Strategies/Activities:

- Explore a 3-2-1 strategy of identifying: 3 major donors for cultivation in a calendar year, 2 major donors for formal asks, and 1 donor who is a recruit.
- Work with LAWV Development Advisory Committee to identify and cultivate 1-3 business donors for a major gift or multi-year pledge.

Objective 33: Develop a deferred/planned giving initiative.

Strategies/Activities:

- Research and determine the best giving structure to appeal to potential planned givers.
- Include basic deferred giving information into all correspondence.
- Establish a Giving/Legacy Society – identify several planned givers before taking it public.

Goal 16: Ensure LAWV's Development Office is efficient, responsive to donors, and supports future fundraising growth.

(See also Goal 9 under Communication to support this effort.)

Objective 34: Create formal policies by which the development office will conduct business, both internally and externally.

Strategies/Activities:

- Develop and seek board approval for a comprehensive gift acceptance policy that addresses types of gifts accepted, gift valuation and gift restrictions.
- Develop and communicate a set of policies/procedures for handling donors and donor information.
- Create a formal process for handling and reconciling online gifts and pledges between development and accounting.

Objective 35: Consistently improve and review the types and quality of data gathered through the eTapestry constituent management system.

Strategies/Activities:

- Produce regular data to ensure quality management including: monthly duplicate check, quarterly data checkups and gift reconciliation; and other required updates.
- Develop eTap benchmark reports for use by management.
- Cross train a staff member on eTap basics to ensure more than one staff person understands the data base.
- Integrate and track Constant Contact email marketing.
- Identify constituent groups with which other staff are communicating on a frequent basis, incorporate into eTap -as possible/appropriate basis.
- Better integrate website, social media and Outlook into eTap.

Objective 36: Further develop and strengthen LAWV's Development Advisory Group.

Strategies/Activities:

- Add a Board liaison to the Development Advisory Group.
- Cultivate and recruit additional DAG members who are identified through outreach and ambassador efforts, Just One campaigns, or by board members.
- Cultivate and recruit non-lawyers to DAG – especially focusing business leaders, banking and finance, accounting, etc.

Goal 17: Formalize a grants management system (GMS) with strong oversight, reporting and communication functions to support LAWV's capacity to manage current and future grants.

Objective 37: Increase LAWV's ability to effectively manage grants from application through audit.

Strategies/Activities:

- Develop or purchase a GMS that can be easily accessed and used by all key grants management staff (ED, AD, LD, CFO, MAGT, RDD, LSM, ASM, Grants Team).
- Ensure the GMS provides key information on pending and current grants.
- Ensure the GMS tracks grant application and reporting deadlines.
- Set up tools within the GMS that allows staff to track their grant time allocations in an efficient and effective manner.
- Further refine/define roles of Grants Management Team to support effective grants management.

Strategic Priority 6:

Ensure LAWV is Well-Governed and Administered

Goal 18: Review and update staffing structure and roles as needed to accomplish organizational goals.

Objective 38: Ensure LAWV management and staff positions reflect current organizational needs.

Strategies/Activities:

- Maintain updated job descriptions and succession plans for key management positions.
- Assess staffing structure and roles upon a significant increase or decrease in funds.

Goal 19: Better integrate case management, timekeeping and payroll systems for effective and efficient administration.

Objective 39: Improve flexibility and simplify grant allocation/administration requirements for LAWV staff.

Strategies/Activities:

- Establish reasonable case load expectations which are flexible to accommodate staff turnover, while meeting LAWV's case priorities and recommendations for appropriate levels of service.
- Establish a work committee to simplify grant funding allocations for better management, reporting and employee timekeeping.

Goal 20: Develop better tools to support Board and management financial oversight.

Objective 40: Develop a dashboard reporting system of key financial health and oversight indicators.

Strategies/Activities:

- Use Abila accounting software or other technology tools to simplify and regularize reporting of financial information for board and staff.
- Work with the Board Audit Committee and Management Team to ensure the dashboard meets information needs.

- Train accounting staff to regularly produce the dashboard and train key stakeholders to review and understand it.

Goal 21: Ensure the Board of Directors remains actively engaged with LAWV's mission.

Objective 41: Train, support and engage LAWV Board members to strengthen their knowledge and commitment.

Strategies/Activities:

- Plan a Board retreat around the Strategic Plan implementation.
- Ask Board members to be active on at least one Legal Aid committee or project throughout the year.
- Promote 100% board member giving to the annual campaign at a level of personal significance.
- Work with partners to develop regular board training opportunities including sending a board member to a national training such as the Equal Justice Conference.
- Develop and implement an annual LAWV Board self-assessment.
- Provide updates on LAWV's Strategic Plan goal progress at each LAWV quarterly Board meeting.

Benefits Available for Kinship Relative Care Providers

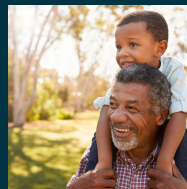
Kinship Relative Care Providers are those who provide care for related children that are not their own, including those related by marriage. The most common kinship relative caregiver situation is a grandparent caring for a grandchild.

WV WORKS Relative Caretaker Benefits are available to all kinship care families, regardless of income. **WV WORKS Benefits are provided by the WV Department of Health and Human Resources (DHHR).**

Check with your local DHHR office, as other benefits such as SNAP (Food Stamps) may be available to grandfamilies.

Benefits Available

- Legal Assistance from Legal Aid of WV
- Cash Assistance by number of children cared for per month, beginning at \$288 for one child and capped at \$559.
- School Clothing Vouchers
- Medical Card for Children
- Support Services - these are available by approval only after all other assistance options have been used:
 1. Child Care Assistance
 2. Clothing Assistance
 3. Vehicle Repair & Insurance
 4. Driver's License or State ID Fees
 5. Collateral Payments: Costs associated with children's needs like:
 - Higher Education Entrance Exam & Application Fees
 - Graduation Cap & Gown
 - Extracurricular Activity Fees
 - Diapers, Wipes, & Formula



This information provided by Legal Aid of WV

WWW.LAWV.NET





Formalizing Custody of a Grandchild or other Relative in your Care

GUARDIANSHIP

- Temporary (6 months) or until the child reaches 18 or it is terminated by the Court upon petition by one or more of the biological parents
- Requires one of the following:
 - Waiver by Parents
 - Parent rights previously terminated
 - Parents unable or unwilling to parent
 - Abandonment for 6 months
 - Extraordinary circumstances
- Can be filed immediately, hearing within 10 days
- Must post bond

ADOPTION

- Permanent
- Cannot be terminated
- Adopting parent has rights and obligations of biological parent
- Requires one of the following:
 - Consent of Parents
 - Abandonment by parents with no contact or support for 6 months
 - Parents rights previously terminated
- Child must be in home for 6 months prior to filing.
- 45 day waiting period of hearing
- Can change child's name

Abuse and Neglect Proceedings:

- If you file for Guardianship or Adoption before the DHHR becomes involved, you may be able to avoid an Abuse and Neglect Action in Circuit Court
- If an Abuse and Neglect Action has already been filed, you cannot file for Guardianship or Adoption until Permanent Placement has been addressed in that action. If there is an Abuse and Neglect Action pending and the child is not placed in your care, you should contact the DHHR to find out if you are eligible for placement.

Healthy Grandfamilies Legal Information

PROVIDED BY LEGAL AID OF WEST VIRGINIA



DISCLAIMER:

This booklet is provided for information purposes only by Legal Aid of West Virginia as part of the Healthy Grandfamilies Program and the WV Works Legal Support Project. Legal Aid does not warrant this information for any purpose. This booklet should not be considered legal advice. It does not create an attorney-client relationship. These materials are accurate legal information as of January 2020. Please note that laws can change because new laws are passed in the West Virginia legislature every year and these laws are continually being interpreted by the Courts, creating new case law. If you have a legal issue, you should always consider consulting with an attorney for legal advice.

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KINSHIP CARE TO-DO LIST

- 1. Obtain written permission from the parent(s) to provide care for the child(ren), if possible**
- 2. Obtain a copy of the child(ren)'s birth certificate and social security card, if possible**
- 3. Apply for benefits at the DHHR**
 - ___ WV Works Kinship Relative Check**
 - ___ Medical Card/ WV CHIP**
 - ___ Food Stamps**
 - ___ Clothing Voucher**
 - ___ WV Choices/Day Care Assistance**
- 4. Find out who the child(ren)'s medical care providers are and ensure that child(ren) keep next appointments**
- 5. Make contact with the child(ren)'s school to ensure there are no enrollment issues**
- 6. Inquire about your legal options to secure custody of the child(ren)**
 - ___ Ask WV Works Caseworker for referral to Legal Aid**
 - ___ Contact Legal Aid to Apply – call 1-866-255-4370 or apply online at www.lawv.net**
 - ___ Contact a private attorney for a consultation**

Important Documents

Start a File for the Child

- ☐ Birth Certificate
- ☐ Social Security Card
- ☐ Medical Card or other Health Insurance Card
- ☐ Immunization records
- ☐ School records
- ☐ Medical records, including a list of any allergies and prescriptions
- ☐ Any legal documentation, such as guardianship or other court orders related to the child(ren)
- ☐ Any written documentation giving you permission to care for the child(ren)
- ☐ Names and phone numbers of all case workers and medical providers
- ☐ Information about the parents, including dates of birth, social security numbers, and current address
- ☐ Create and keep a timeline of where and with whom the child(ren) have resided since birth
- ☐ Up-to-date, clear photo of the child(ren)

Obtaining a Temporary Care Agreement from the Parents

If possible, obtaining a Temporary Care Agreement from one or both of the child(ren)'s parents can be helpful to obtain medical care for the child, enroll the child in school, and obtain information and documents related to the child. Don't worry if you can't get the parents to sign an agreement, there are ways to accomplish all of those things without such a document, but the document will make these tasks easier.

Temporary Care Agreements can be as informal as a note written on a sheet of paper, or as formal as a notarized document. On page 6 of this booklet, you will find a form that you can use to obtain an agreement from one or more of the child's parents. This form is intended to be signed by a parent before a notary.

These agreements are temporary and can be revoked by the parent simply stating that the agreement is revoked. This agreement is not a substitute for guardianship, which is discussed later in this booklet.

How to Obtain a Medical Care for the Child

If you are unable to obtain a temporary care agreement, or other parental permission for medical treatment, you can complete a Caregiver Consent Affidavit for Health Care. This form allows relatives or someone other than the child's parent to consent to health care and medical treatment for the child.

If you do not have a court order that gives you the right to make health care decisions for a child, you can use the Caregiver's Consent Affidavit to approve such care if:

- You are over the age of 18 **and**
- You are related to the child by blood or marriage; or the child has resided with you during the last six months or more **and**
- You have been unable to obtain the child's parents consent to obtain medical care for the child, despite attempts to obtain such consent **and**
- **The parents have not refused consent.** This form cannot be used if the parents have refused to give you permission to obtain medical care for the child.

The affidavit does not give you legal custody of the child and does not affect the rights of the child's parents. If the parents object, the consent is no longer valid. By signing the affidavit

you are swearing that the information contained in it is true. The consent form is only valid for one year after you sign it.

You can find a copy of this form on page 7 of this booklet.

How to Obtain a Child's Birth Certificate

To get a certified copy of a child's birth certificate:

You must be:

- ☐ A grandparent of the person on the certificate, or
- ☐ A brother or sister of the person on the certificate, or
- ☐ Have a legal interest in the certificate

Where to obtain certificate:

1. **Courthouse** - You can obtain a certified copy of a child's birth certificate in the county where the child was born for a \$5.00 fee by visiting the County Clerk's office. Make sure you bring your driver's license with you. **Please note that the Board of Education in most counties will not accept the Courthouse copy of the child's birth certificate.**

2. **WV Health Statistics Office in Charleston, WV**- You can order a certificate from the state office by doing the following:

- ☐ Visiting the office in person:
 - Go to the WV Health Statistics office in Charleston at 350 Capitol Street
 - Bring your ID, \$12, and the completed application, located on page 9.
- ☐ By mail
 - This is the slower method of obtaining a certificate, taking 5 to 19 days
 - Fill out the application located on page 9 of this booklet and mail it to Vital Registration, Room 165, 350 Capitol Street, Charleston, WV 25031, with a check or money order for \$12.

If you have any questions about obtaining a birth certificate, you may reach Vital Registration by calling 304-558-2931.

How to Obtain a Social Security Card for a Child

You will need:

1. Proof of the child's identity - certified copy of the child's birth certificate AND one of the following: a certified copy of a medical record, copy of a medical card, school identity card, school records, and/or adoption decree)
2. Proof of your identity and proof of your custody of/relationship with the child – Driver's license, birth certificates, court orders
3. A completed Application for Social Security Card. (See page 10 of this booklet).

If you have any questions about the proof documents required, you may call 1-800-772-1213.

You will take or mail these documents to your local Social Security Office. The Social Security office requires original/certified copies of all documents, so it is probably best to take the documents in person so that you can keep your originals.

Note that there are limits on the number of replacement social security cards that can be obtained. You may receive a limit of three (3) per calendar year and only 10 in your lifetime.

Obtaining Other Documents

- Check with the child's current and former schools for Individual Education Plans (IEPs), other school records and immunization records
- Check with the child's medical care providers for medical records, information related to allergies and prescriptions, and immunization records

TEMPORARY CARE/CUSTODY AGREEMENT

I, _____, a resident of _____ County, West Virginia, the custodial parent of the following child(ren): (Please indicate name and birthdates of children)

_____	_____
_____	_____
_____	_____

do hereby give temporary custody of said child(ren) to: (Name, Address and Relationship)

Further, I give my permission to the aforementioned person(s) to take care of the child(ren) in his/her home and to apply for, consent to, or otherwise obtain any medical treatment or any economical, social, educational, or other services that the child(ren) may need. I expressly give permission to this individual to accept any State or Federal Benefits that may be available through the Department of Health and Human Resources, or other agency, to benefit my child(ren).

This agreement is temporary in nature and shall be immediately revocable upon written notice that the Parent desires to terminate the care agreement and resume caring for the child.

Parent

Date

Parent

Date

Taken, subscribed and sworn to before the undersigned authority this _____ day
of _____, 20____.

NOTARY PUBLIC

My commission expires _____.

AFFIDAVIT FOR CONSENT FOR HEALTH CARE FOR A MINOR

State of West Virginia,

County of _____

Name of county where you are physically located at the time you sign the document

After being duly sworn, I, _____, provide the following information:
Adult Caregiver's Name

A. 1. My full name is: _____.
Adult Caregiver's First, Middle and Last Name

2. My current address is: _____.
Adult Caregiver's Address

3. My birthdate is: _____.
Adult Caregiver's Date of Birth

4. _____ was born on _____.
Child's Name Child's Birthdate

5. _____ has resided continuously with me since _____.
Child's Name
Date Child Came to Live with You

6. _____ I am not related to the child; OR

_____ I am related to _____ in the following manner:
Child's Name

☐ Sibling

☐ Maternal Grandparent/Great
Grandparent

☐ Maternal Aunt or Uncle

☐ Maternal Cousin

☐ Paternal Grandparent/Great
Grandparent

☐ Paternal Aunt or Uncle

☐ Paternal Cousin

☐ Other: _____

7. The child's mother is _____ who resides at _____.
Mother's Name

Mother's Address

8. The child's father is _____ who resides at _____.
Father's Name

Father's Address

9. I have attempted, but have been unable to obtain, the consent of the minor child's parents, guardian or legal custodian to allow me to obtain medical care on the child's behalf.

10. The minor child's parent, guardian or legal custodian has not refused to give consent for health care and treatment of the minor child.

11. I have made the following attempts to obtain the consent of the minor child's parent, guardian or legal custodian to seek medical care on behalf of the minor child (detail your attempts):

GENERAL NOTICES:

- This consent form is promulgated pursuant to West Virginia Code §49-2-701 et seq.
- This declaration does not affect the rights of the minor child's parents, guardians or legal custodians regarding the care, custody and control of the minor, other than with respect to health care, and does not give the caregiver legal custody of the minor child.
- This affidavit is valid for one year unless the minor no longer resides in the caregiver's home. Furthermore, the minor's parent, guardian or legal custodian may at any time rescind this affidavit of caregiver consent for a minor's health care by providing written notification of the rescission to the appropriate health care professional.
- A person who relies in good faith on this affidavit of caregiver consent for a minor's health care has no obligation to conduct any further inquiry or investigation and is not subject to civil or criminal liability or to professional disciplinary action because of that reliance.

Based upon all of the statements above, I believe that I am the person who can give consent for the health care for _____.

Child's Name

Signature of Caregiver

Date

Acknowledged before me this the ____ day of _____, 20_____.

NOTARY PUBLIC

My commission expires: _____.



Application for Certified Copy of West Virginia Birth Certificate

Please complete on-line, print, sign, and mail as instructed below or print except where signature is required.

The following pertains to information that would be found on the certificate being requested.

Name of person on the certificate

Date of Birth

First Middle Last

Month/Day/Year

Mother's Maiden Name

First Middle Last

Sex:

☐

Male

☐

Female

Father's Name

First Middle Last

Place of Birth

City

County

State

Hospital

Requestor's Relationship:

Parent/Grandparent ☐

Guardian or agent ☐

Child/Grandchild ☐

Certificate of my own birth ☐

Spouse ☐

Brother/Sister ☐

Making false statements and misuse of vital records will result in criminal and civil penalties pursuant to WV Code §16-5-38.

Signature (Required)

Printed Name (Required)

Requesting _____ copies at \$12.00 per copy and enclosing \$_____.

Please send check or money order. Please do not send cash.

Make checks payable to: Vital Registration

Send copies to: Print your address below.

()

Area Code

Your daytime telephone number:

City

State

Zip

E-Mail address

Submit form with check or money order to:
Vital Registration ,
Room 165
Charleston, WV 25301-3701
Telephone: (304) 558-2931

SOCIAL SECURITY ADMINISTRATION

Application for a Social Security Card

Form Approved
OMB No. 0960-0066

1	NAME TO BE SHOWN ON CARD		First	Full Middle Name	Last
	FULL NAME AT BIRTH IF OTHER THAN ABOVE		First	Full Middle Name	Last
	OTHER NAMES USED				
2	Social Security number previously assigned to the person listed in item 1			<div style="display: flex; justify-content: space-between;"> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> <div>–</div> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> <div>–</div> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> </div>	
3	PLACE OF BIRTH (Do Not Abbreviate)			Office Use Only	4
			City	State or Foreign Country	FCI
5			DATE OF BIRTH		
			MM/DD/YYYY		
6		7			
CITIZENSHIP (Check One)		RACE Select One or More (Your Response is Voluntary)			
<input type="checkbox"/> U.S. Citizen <input type="checkbox"/> Legal Alien Allowed To Work <input type="checkbox"/> Legal Alien Not Allowed To Work (See Instructions On Page 3) <input type="checkbox"/> Other (See Instructions On Page 3)		<input type="checkbox"/> Native Hawaiian <input type="checkbox"/> American Indian <input type="checkbox"/> Other Pacific Islander <input type="checkbox"/> Alaska Native <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> White			
8		9			
SEX		ETHNICITY Are You Hispanic or Latino? (Your Response is Voluntary)			
<input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Yes <input type="checkbox"/> No			
10		11			
A. PARENT/ MOTHER'S NAME AT HER BIRTH		B. PARENT/ MOTHER'S SOCIAL SECURITY NUMBER (See instructions for 9 B on Page 3)			
<div style="display: flex; justify-content: space-between;"> <div>First</div> <div>Full Middle Name</div> <div>Last</div> </div>		<div style="display: flex; justify-content: space-between;"> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> <div>–</div> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> <div>–</div> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> </div> <input type="checkbox"/> Unknown			
12		13			
A. PARENT/ FATHER'S NAME		B. PARENT/ FATHER'S SOCIAL SECURITY NUMBER (See instructions for 10B on Page 3)			
<div style="display: flex; justify-content: space-between;"> <div>First</div> <div>Full Middle Name</div> <div>Last</div> </div>		<div style="display: flex; justify-content: space-between;"> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> <div>–</div> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> <div>–</div> <div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div><div style="width: 20px; height: 20px; border: 1px solid black;"></div></div> </div> <input type="checkbox"/> Unknown			
14					
Has the person listed in item 1 or anyone acting on his/her behalf ever filed for or received a Social Security number card before?					
<input type="checkbox"/> Yes (If "yes" answer questions 12-13) <input type="checkbox"/> No <input type="checkbox"/> Don't Know (If "don't know," skip to question 14.)					
15		16			
NAME SHOWN ON THE MOST RECENT SOCIAL SECURITY CARD ISSUED FOR THE PERSON LISTED IN ITEM 1		DATE OF BIRTH IF USED ON AN EARLIER APPLICATION FOR A CARD			
<div style="display: flex; justify-content: space-between;"> <div>First</div> <div>Full Middle Name</div> <div>Last</div> </div>		<div style="display: flex; justify-content: space-between;"> <div>MM/DD/YYYY</div> </div>			
17		18			
TODAY'S DATE MM/DD/YYYY		DAYTIME PHONE NUMBER			
<div style="display: flex; justify-content: space-between;"> <div>Area Code</div> <div>Number</div> </div>		<div style="display: flex; justify-content: space-between;"> <div>Area Code</div> <div>Number</div> </div>			
19		20			
MAILING ADDRESS (Do Not Abbreviate)		YOUR SIGNATURE			
Street Address, Apt. No., PO Box, Rural Route No. City		State/Foreign Country ZIP Code			
21					
I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best to my knowledge.					
22		23			
YOUR SIGNATURE		YOUR RELATIONSHIP TO THE PERSON IN ITEM 1 IS:			
<input type="checkbox"/> Self <input type="checkbox"/> Natural Or Adoptive Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other Specify _____		<input type="checkbox"/> Self <input type="checkbox"/> Natural Or Adoptive Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other Specify _____			
24					
DO NOT WRITE BELOW THIS LINE (FOR SSA USE ONLY)					
25		26			
EVIDENCE SUBMITTED		SIGNATURE AND TITLE OF EMPLOYEE(S) REVIEWING EVIDENCE AND/OR CONDUCTING INTERVIEW			
NPN DOC NTI CAN ITV		NWR DNR UNIT			
PBC EVI EVA EVC PRA		DATE			
DCL		DATE			

Grandparent Caregivers: CPS Involvement vs. No Involvement

The way in which you came to be caregivers of your grandchildren can affect the types of benefits you are eligible for. Here are a few ways grandparents become caregivers of grandchildren:

1. Parents voluntarily place children in grandparent care without any CPS involvement.
2. Parents voluntarily place children in grandparent care after a CPS case is opened, but before an abuse and neglect is filed.
3. Parents voluntarily place children in grandparent care, but CPS has filed an abuse and neglect proceedings against the parents anyway.
4. Children are removed from parents care by CPS and placed in grandparent care due to an abuse and neglect proceeding.

If no abuse and neglect proceeding is initiated, a grandparent will be able to pursue guardianship or adoption and will not be subject to the requirements that result from an abuse and neglect proceeding. However, this also means that you will not be eligible for the benefits that are provided by the DHHR in abuse and neglect proceedings.

Portions of this booklet are related to what happens when you are providing care for grandchildren who have been removed from their parents' home due to abuse and neglect. However, frequently grandparents are providing care for grandchildren without any CPS involvement. The following chart is designed to show what the different requirements and benefits are for grandparents providing care without CPS involvement (Non-Abuse and Neglect Placement) and grandparents providing care for children with CPS involvement (Abuse and Neglect Placement).

LEGAL INFORMATION

Requirements/Benefits	Non-Abuse and Neglect Placement	Abuse and Neglect Placement
Provide basic necessities	Yes	Yes
Submit to a Background Check	No	Yes
Home Safety Requirements (beyond minimum safety requirements)	No	Yes
Minimum bedroom Requirements	No	Yes
PRIDE Class Training	No	Yes
WV Works Kinship Relative Care Check (\$288 per month for the 1 st child, with a small increase for each addit'l child up to a max of \$559)	Yes	Yes (until home study is completed and family qualifies for Foster Parent Subsidy)
Foster Parent Subsidy (\$600 per month, per child)	No	Yes
Medicaid for the children	Yes	Yes
Clothing Voucher	Yes	Yes
Clothing Subsidy (one time payment of \$300.00)	No	Yes
Child Care Assistance	Yes	Yes
Mileage for taking children to doc. appts and family visits	No	Yes
Legal Assistance Subsidy (\$2,000 to assist with the costs of filing for adoption or guardianship of the child)	No	Yes

Benefits Available for Kinship Relative Care Providers

Kinship Relative Care Providers are individuals who are providing care for blood-related children up to the 5th degree, including those related by marriage. The most common Kinship/Relative Caregiver situation is a grandparent providing care for a grandchild.

WV WORKS Relative Caretaker Benefits – These benefits are available regardless of income

Provider: West Virginia Department of Health and Human Resources

Benefits for Child:

- **Cash Assistance**

1 child: \$288	4 children: \$422	7 children: \$547
2 children: \$331	5 children: \$462	Max: \$559
3 children: \$374	6 children: \$506	
- **School Clothing Voucher**
- **Medical Card for the children**
- **Support Services – Possible benefits with approval and exhaustion of all other avenues of assistance**
 - **Child Care assistance**
 - **Clothing Assistance**
 - **WV Works donated vehicle program (based upon limited availability)**
 - **Vehicle Repair**
 - **Vehicle Insurance**
 - **Driver's license and State ID fees for the caregiver or the children**
 - **Collateral Payments**
 - **Higher Education Entrance Exam and Application Fees**
 - **Tutoring costs**
 - **Graduation Cap and Gown**
 - **Extracurricular Activity Fees**
 - **Diapers, wipes, and formula**
 - **Other costs associated with the children's needs**

Check with your local DHHR as other benefits such as SNAP(Food Stamps) may be available to grandfamilies if you are low-income and meet financial guidelines.

Benefits Available for Foster Parents

Foster Parents are individuals who are certified caregivers for children who are in the legal custody of the West Virginia Department of Health and Human Resources. Some grandparents become certified foster parents of their grandchildren, however, you cannot choose to be a foster parent for your grandchildren - your grandchildren must be placed in your care by the WV DHHR/CPS to be considered a foster parent for benefit purposes.

Three Types of Foster Parents:

1. Foster Parents – Non-relative individuals who open their homes to foster children without the intention to adopt
2. Foster-to-Adopt – Non-relative individuals who open their homes to foster children with the intention of adopting a child
3. Kinship-Relative Placement – Relatives who open their homes to their kin who are in DHHR custody with the intention of fostering or adopting.

Requirements to be a Foster Parent:

1. You must be 21 or older
2. You need a stable and secure income
3. You should be in relatively good physical and mental health
4. Your home will need to pass a safety inspection
5. You cannot have child abuse reports or a criminal background
6. You must have a stable family relationship
7. You must have the ability to commit to a child

To be certified as a Foster Parent:

1. You must complete a home study, which includes a background check
2. You must complete PRIDE training

Benefits Available to Foster Parents and Foster Children:

- \$600 per month subsidy once home study and PRIDE training are complete
- Medical Card
- Child Care Assistance
- Mileage Reimbursement
- Up to \$2,000 reimbursement for legal expenses related to adoption/guardianship
- WIC (baby formula and food assistance)
- WV Birth to Three Services

Child Abuse and Neglect Under West Virginia Law

Sometimes children come into your care because they have been removed from the parents' home due to child abuse and neglect. The following is an explanation of Child Abuse and Neglect laws, and the proceedings that occur as a result of abuse and neglect.

1. What is child abuse under West Virginia law?

Child abuse means that a child's health and well-being is being harmed or threatened. Under West Virginia law (W.Va. Code § 49-1-201), a child's health and well-being can be threatened in a few ways:

- Actual or attempted intentional infliction of physical or mental injury upon the child or any child in the home;
- Sexual abuse or exploitation of the child;
- The sale or attempted sale of the child; or
- Domestic violence.

2. What is neglect under West Virginia law?

Neglect means that a child's physical or mental health is harmed or threatened by a parent's failure, refusal, or inability to provide:

- Food,
- Clothing,
- Shelter,
- Supervision,
- Medical care, or
- Education.

Neglect can also be a result of the child being without these basic necessities because of the absence of the parent (W.Va. Code § 49-1-201).

3. Who investigates child abuse and neglect in West Virginia?

In West Virginia, Child Protective Services (CPS), which is under the Department of Health and Human Resources (DHHR), investigates possible child abuse and neglect.

4. How are abuse and neglect cases handled in court?

Circuit Court Judges are the judges in West Virginia that hear child abuse and neglect cases. If a Family Court Judge learns about possible abuse and neglect, the Family Court Judge must make a referral to the Department of Health and Human Resources (DHHR) to investigate. If DHHR finds that there is abuse and neglect, the DHHR will work with the Prosecuting Attorney's office to initiate an abuse and neglect proceeding against the abuser(s) in the Circuit Court of the County where the child resides.

5. How can you report suspected child abuse and neglect?

Call the Department of Health and Human Resources Centralized Intake for Abuse and Neglect at 1-800-352-6513. This hotline is open 24 hours a day and 7 days a week. The names of people who call to report are kept confidential. You can also report child abuse and neglect to your local police department.

6. When can CPS remove children from the home?

If Child Protective Services (CPS) believes a child is in danger, CPS may take emergency custody of the child before an emergency abuse and neglect petition is filed with a court. CPS must then immediately go to a Circuit Court judge or Magistrate Court judge and ask for an order for emergency custody. If CPS receives this order, CPS must file an abuse and neglect petition within 48 hours.

7. What is a petition?

A petition is a legal document that describes the abuse and neglect that supposedly took place. Usually the process begins when the County Prosecuting Attorney files an abuse and neglect petition in Circuit Court on behalf of the Department of Health and Human Resources (DHHR). However, if DHHR or the prosecutor refuses to file an abuse and neglect petition, any person who believes abuse and neglect took place can file a petition in Circuit Court.

8. Who is the respondent in an abuse and neglect case?

The respondent in the abuse and neglect case is the adult who is alleged to have abused or neglected the child(ren). If only one parent is alleged to have abused the child(ren), the other parent can be a respondent if they knew about the abuse and could have stopped it. A parent who is not at fault for abuse and neglect may be given the opportunity to co-petition with the DHHR or be required to participate in the abuse and neglect proceedings as a non-offending parent or interested party.

9. What is an initial order?

The initial order from the Circuit Court Judge in an abuse and neglect case may give temporary custody of the child(ren) to the Department of Health and Human Resources. It will also appoint lawyers for the parents and any other person who may have custodial responsibility. The children involved in the case will be appointed an attorney called a guardian ad litem. Sometimes a CASA or Court Appointed Special Advocate is appointed to look out for the child(ren)'s best interests and to help them understand the Court process.

10. Who can be in the courtroom during abuse and neglect proceedings?

Abuse and neglect cases are closed, confidential hearings. This means the hearing is not open to the public. Generally, the court will not let others in the courtroom and will not give them information about what happened in a hearing.

The only people allowed into the courtroom are:

- The judge
- A court reporter
- A bailiff
- The prosecuting attorney
- The representative(s) from DHHR
- The guardian ad litem (attorney for the children)
- CASA advocates
- The parent(s) and their attorney(s)
- Relatives, potential foster or adoptive families and their attorneys may attend, but only if the court has allowed them to intervene in the case.

11. What is a GAL (guardian ad litem)?

A guardian ad litem, often referred to as a GAL, is a lawyer who represents the child and the child's best interests. The GAL will represent the child in Court and MDT meetings. The GAL will investigate the case, make home visits, and interview witnesses. The GAL will send a written report to the Judge with recommendations for the child's best interest.

12. What is a preliminary hearing?

During a preliminary hearing, the judge decides if the child needs to be removed from the home. If emergency custody was ordered before the preliminary hearing, the judge will decide if it should continue. It is not unusual for the parents to waive their preliminary hearing to move to the next stages of the abuse and neglect process.

13. What is an improvement period?

An improvement period is a period of time the judge gives the respondent(s) to correct issues relating to the abuse and neglect in an attempt to avoid having their parental rights terminated. There are two types of improvement periods, pre-adjudicatory improvement periods and post-adjudicatory improvement periods. To get an improvement period, the respondent must admit there is a problem and make efforts to correct the problem. The DHHR will develop a family case plan if the respondent gets an improvement period. During this time, the DHHR offers helpful services to the respondent(s) and reports back to the Court and the Multidisciplinary Team (MDT) about the respondent(s) progress during the improvement period. If a respondent does not follow the requirements of the improvement period, the improvement period can be terminated and the case is moved on to adjudication or disposition.

Typical rules for an improvement period can be:

- Being financially stable;
- Having a stable place to live;

- Having a psychological evaluation and following what is recommended;
- Getting treatment for drug or alcohol abuse;
- Staying drug or alcohol free;
- Submit to random drug and/or alcohol screenings;
- Going to parenting classes;
- Going to supervised or unsupervised visits with the child; and
- Going to MDT meetings.

14. What is an MDT?

MDT stands for multidisciplinary team. The MDT holds regular meeting to develop, carry out, and monitor a service plan for the family to correct the problems that led to abuse and neglect. The MDT also sends written reports to the judge. The MDT should meet at least once every 3 months until the Judge decides where the child should be permanently placed.

15. Who goes to an MDT?

Each county handles their MDT meetings differently, but the teams generally consist of the following individuals:

- The DHHR case worker;
- The prosecuting attorney;
- The adult respondents (typically the child's parents or guardians);
- Any co-petitioner;
- The lawyers for the respondents;
- The Guardian Ad Litem (children's lawyer)
- The CASA;
- Anyone who is providing services to the respondents to help them deal with the issues that led to abuse and neglect;
- Appropriate school officials;
- The foster parents or custodial relatives (and their lawyers); and
- The child (if old enough and appropriate).

16. What is a family case plan?

DHHR staff prepare a family case plan with the help of the lawyers and the MDT. The case plan lists changes that must happen and services that will be provided to the family to help correct the problems. The case plan also includes a description of how the respondents must change their behavior. The long term or permanency plan for the child is also included. The overall goal of the abuse and neglect process is to correct problems so the family can be reunified or if that is not possible, to find a safe and loving place for the child to grow up.

17. What is an adjudicatory hearing?

At the adjudicatory hearing, the prosecutor, the respondents' lawyers, and the child(ren)'s lawyers present evidence to support or to defend against the abuse and neglect claims set forth in the petition. The judge decides at the end of the hearing if the child is abused and neglected. Sometimes the respondents will waive the adjudicatory hearing and admit some or all of the allegations in the petition in order to begin an improvement period to correct the conditions that lead to the abuse and neglect proceeding. Parental rights are not terminated during the adjudicatory hearing.

18. What is a dispositional hearing?

At the dispositional hearing, the Judge will decide whether the parents' rights will be terminated or whether the family will be reunified. During this hearing, the judge must choose the least restrictive action that is in the best interests of the child(ren). The Judge may dismiss the petition if the judge feels it is safe to reunite the family. The judge may terminate the parents' rights if the evidence shows that there is no reasonable likelihood that respondents can change the issues that led to the abuse and neglect and returning the child to the home is not in the child's best interests. If a parent's rights are terminated, the person no longer has legal status as the child's parent. During this hearing parents may also choose to voluntarily relinquish his or her parental rights rather than having those rights terminated. Voluntarily relinquishing parental rights terminates the rights to the immediate child, but allows the parent to maintain parental rights to other children.

19. What is a permanency hearing?

A permanency hearing is held to determine what the permanent placement plans will be for children when parental rights have been terminated. The goal of the permanency hearing is to place the child in the most family-like home possible. There is a preference for children to be adopted by foster parents or kinship relatives, as well as a preference to keep siblings together in the same home. A permanency hearing may be held every 12 months until the permanency plan is completed.

A Guide to Grandparent Intervention in Abuse and Neglect Proceedings:

When the DHHR takes custody of children due to Abuse and Neglect Proceedings, they must search for possible relatives who are interested in taking the child and would be a good, safe placement. There is a preference to place children with a fit and proper grandparent. If no fit and proper grandparent or other relative is available, the children will be placed in a foster home. The following are answers to frequently asked questions:

1. Will my grandchildren automatically be placed with me if they are removed from their parents?

No. The DHHR will reach out to known grandparents to inquire about placement. Sometimes grandparents are not considered because the children's parent(s) have indicated that the grandparent is not willing, able or appropriate to provide care for the child. If you learn of an abuse and neglect action and would like to be considered for placement of your grandchildren, it is important for you to contact the DHHR as soon as possible to let them know that you are interested in being considered for placement.

2. What happens once the DHHR is aware that I am willing and able to provide care for my grandchildren?

The DHHR may place the child with you on a temporary basis pending the completion of a home study, or the DHHR may place the child with a foster family pending your completion of a home study. It is important that you maintain contact with the DHHR during this process.

3. As a Grandparent, do I have the same requirements as a Foster Parent?

Yes. If you are a relative who wants custody of a child, you will be required to complete a home study and complete foster parent training known as Parent Resources for Information, Development, and Education, or PRIDE classes. The home study involves a background check and a safety check of your home. If you pass the home study and complete the PRIDE training, the DHHR will certify you as a foster parent and you can get financial help in caring for the child.

4. Under what circumstances might I be denied placement of my grandchild?

You will likely be denied placement of your grandchild(ren) if any of the following apply:

- You have a history of substantiated abuse and neglect allegations against you;
- You have lost parental rights to your own children in the past;
- You have to register as a sex offender;
- You have a criminal history, particularly of crimes involving sexual abuse or physical harm;
- You have a drug or alcohol problem;
- Your home does not meet the safety standards required by the DHHR and you are unable to make repairs to meet those standards.

5. What rights do grandparents have in regard to abuse and neglect proceedings?

Grandparents have the following rights:

- **Placement of the Child, if appropriate** - WV Code provides that the DHHR shall first consider the suitability and willingness of any known grandparent or grandparents to adopt the child. Once any such grandparents who are interested in adopting the child have been identified, the DHHR shall conduct a home study evaluation, including home visits and individual interviews by a licensed social worker. If the DHHR determines, based on the home study evaluation that the grandparents would be suitable adoptive parents, it shall assure that the grandparents are offered the placement of the child prior to the consideration of any other prospective adoptive parents.
- **Notice** - *If you had physical custody of the children prior to the filing of the abuse and neglect proceeding*, you have the right to be served with a copy of the petition and have an opportunity to be heard.
- **A meaningful opportunity to be heard** – *If you had physical custody of the children prior to the filing of the abuse and neglect proceeding*, you are entitled to a meaningful opportunity to be heard at the hearings in the abuse and neglect proceeding.

6. How can grandparents get involved in Abuse and Neglect cases in court?

Abuse and Neglect cases are confidential. Relatives are generally not included in these hearings unless the judge specifically allows it. You can file a Motion to Intervene and ask the Court to include you in the hearings. The Court may accept or deny your motion. This often depends on what your role has been in the child's life, how far along the case has progressed, and other factors relating to the child's best interests.

7. Do I need an attorney if my grandchildren are involved in an abuse and neglect proceeding?

You should always take the opportunity to consult with an attorney if one is available to you. You will likely need an attorney in the following situations:

- You are being denied placement of your grandchild, despite having an appropriate home, and being a fit and able person to provide care for them.
- You had physical custody of your grandchildren at the time the abuse and neglect action was filed and you received no notice of the petition and hearing, nor were you given the opportunity to be heard.
- Your grandchild has been placed in foster care and the DHHR is unwilling to complete a home study for you.

8. How can I find an attorney to help me in an abuse and neglect proceeding?

If you are a participant in the WV Works program or a recipient of the WV Works Kinship Relative Care Check, you should ask your WV Works caseworker for a referral to Legal Aid of West Virginia. If you do not participate in or receive benefits from WV Works, you may apply for Legal Aid by calling their intake line at 1-866-255-4370 or apply online at www.lawv.net. If you do not qualify for Legal Aid or if you wish to hire a private attorney, you may use the WV State Bar Lawyer Referral Service to help you find an attorney by visiting: <https://wvlawyerreferral.org/>. If you just have questions and need legal information, you can call Tuesday Legal Connect on Tuesday evenings from 6:00 p.m. until 8:00 p.m. by calling **1-800-642-3617**.

Tips for grandparents if your children or your grandchildren are involved in an abuse and neglect proceeding:

- **Be proactive and cooperative:**
 - Reach out to the local DHHR and let them know you are willing and able to be a home for the child.
 - Cooperate with the DHHR to do a home study of your house.
 - Take the Parent Resources for Information, Development, and Education (PRIDE) classes to become a foster parent.
- **Be understanding:**
 - DHHR are often understaffed and workers are overworked. The caseworker on your case may be busy handling many cases for other abused children. It may seem that they do not want you to have the child. Do not be discouraged. Continue to follow-through and complete all the steps that they ask you to.
- **Be patient but persistent:**
 - These cases sometimes have lengthy delays. You must be “patient but persistent.” Keep in touch with the worker. Ask the worker if there is anything else you need to do. If not, be patient but keep in regular contact with the worker as the case unfolds.

Stabilizing Custody for Grandchildren in Your Care

Taking legal action to establish some type of custody, whether it be guardianship or adoption, can provide stability for your grandchildren and can assist you in having the legal right to make decisions for and seek services on behalf of the children in your care. The following is a discussion of the two main types of legal action Grandparents may take:

Infant Guardianship

1. What is an infant guardianship under West Virginia law?

An infant guardianship is when someone other than a child's birth parent asks a Judge to give them custody of the child. Infant guardianships are often referred to as just a guardianship. A guardianship gives the guardian the rights and responsibilities of a parent, without terminating the parents' rights. The guardian is responsible for the child's well-being, protection, and education. A guardianship will usually remain in place until someone asks the Judge to terminate it or until the child turns 18.

2. What is the difference between a guardianship and adoption?

Adoption, unlike guardianship, terminates the parents' rights and creates a new parent-child relationship between the child and the adopting parent. An adopted child gets a new birth certificate with their adoptive parents listed on it. Other differences are:

- *How long it lasts:* Adoptions cannot be undone. They are permanent. Guardianships can last a long time, but they can be terminated by the Judge later if the reasons that led to the guardianship are fixed. For example, if a child's parents have received drug treatment, a Judge may set aside the guardianship and return the rights to the parents.
- *Where you file:* In West Virginia, you can ask for an infant guardianship in Family Court or in Circuit Court. You can only ask for adoptions in Circuit Court.
- *When you should file:* You can file for a guardianship at any time. If you want custody of a child who does not live with you because you believe the child is not safe, you can ask for a guardianship immediately. Adoptions can only be filed after the child has lived with you for a period of six months or more. You may want to file for a guardianship while an adoption is pending.

3. Who can become a guardian?

A child's natural parents are his or her guardians. When parents are unable or unwilling to take care of the child, a Judge may appoint someone else to be the child's guardian to look out for the child. Any person who has a relationship with the child and who is concerned for the child's well-being can file a petition with the Judge to be appointed as guardian of a child. The Judge cannot appoint a parent or other person whose rights have been terminated. A guardianship will not be put in place if the custody of the child is an issue in another court case.

4. How do I become a guardian?

You must file a petition in either Family Court or Circuit Court. The Judge will look at the facts and decide whether to appoint you as the child's guardian.

5. When will the court appoint a guardian for the child?

The Judge may appoint a guardian for a child if the court finds that it is in the child's best interest and either:

- The parents agree;
- The parents' rights have been terminated;
- The parents are unwilling or unable to exercise their rights (for example, when the parent is in prison);
- If the parents have abandoned the child for more than six months; or
- If there are rare circumstances that would result in serious problems for the child.

6. What is abandonment?

Abandonment is when the birth parent acts as if they will no longer care for the child. West Virginia law says that a parent has legally abandoned a child if that parent

- Knows where the child lives for six months or longer;
- Does not support the child financially, and
- Does not visit or stay in touch with the child.

7. Do the child's parents have to agree to a guardianship?

No. One way to get a guardianship is to have the parents agree to the appointment of another guardian. This is called consent. If the parents will agree to the guardianship, it is best to get this in writing. If the parents do not consent, the Judge can still appoint a guardian for the child.

8. Are guardianships permanent?

No. A guardianship is not permanent because the guardianship can be removed by the Judge. However, a guardianship can last for a long time, even until a child turns 18. Guardianships can also be as little as six months, if the Judge believes that such a short time is all that is necessary to keep the child safe and serve the child's best interests.

9. Does a guardianship mean that the child's parents lose their rights?

No. Guardianship does not end a parent's rights to their child forever. Instead, allows someone else to make decisions regarding the child's care and well-being during the guardianship.

10. Do I have to be a foster parent to get a guardianship?

No. You do not have to be a foster parent to file for guardianship.

11. Can a parent have a guardianship removed?

Yes. Parents can ask the Judge to remove a guardianship. The parent must show the Judge that there has been a significant change in their circumstances and that removing the guardianship is in the best interests of the child.

12. Can I receive financial benefits to help take care of the child?

Yes. While a guardian assumes financial responsibility for the child during the guardianship, there is some assistance available. Guardians may receive cash assistance for the children from the DHHR through WV Works, known as a Kinship Relative Caretaker Check. The children will also qualify for Medicaid and a clothing voucher. Guardians who are low income may qualify for other assistance provided by the DHHR such as food stamps and child care assistance.

13. Can I represent myself in an infant guardianship case?

Yes. The Supreme Court of Appeals of West Virginia has forms online that you can use to file a petition for a guardianship, available at <http://www.courtswv.gov/lower-courts/infant-guardianship/index-infant-guardian.html>. You can also pick up the guardianship forms at your local Legal Aid office at no cost.

If you can, you should always try to discuss legal guardianship with a lawyer to understand your choices and your rights. If you are a participant in the WV Works program or a recipient of the WV Works Kinship Relative Care Check, you should ask your WV Works caseworker for a referral to Legal Aid of West Virginia. If you do not participate in or receive benefits from WV Works, you may apply for Legal Aid by calling their intake line at 1-866-255-4370 or apply online at www.lawv.net. If you do not qualify for Legal Aid or if you wish to hire a private attorney, you may use the WV State Bar Lawyer Referral Service to help you find an attorney by visiting: <https://wvlawyerreferral.org/>. If you just have questions and need legal information, you can call Tuesday Legal Connect on Tuesday evenings from 6:00 p.m. until 8:00 p.m. by calling **1-800-642-3617**.

Adoption

1. What does adoption mean under West Virginia law?

Adoption is when someone other than the birth parents asks a Judge to give them all the legal rights and responsibilities to a child that a parent would have. In West Virginia, you file for adoption in Circuit Court. Adoption terminates the biological parents rights to a child and creates a new parent-child relationship between the adopting parent and the child.

2. What are the differences between adoption and guardianship?

- *How long it lasts:* Adoptions are permanent, while guardianships only last until the child turns 18 or someone petitions the Court to terminate the guardianship.
- *Where you file:* In West Virginia, you can ask for guardianship in Family Court or Circuit Court. You can only ask to adopt a child in Circuit Court.
- *When should you file:* An adoption can only be granted after a child has resided with you for a period of six months or more. A guardianship can be filed at any time, even if the child has not resided with you.

3. How do I begin an adoption?

You file a petition for adoption with the Circuit Clerk in the county where you live. You need to send a copy of your petition to the child's birth mother and anyone who claims to be the father (unless a Judge terminated both birth parents' rights in an abuse and neglect case). You also need to send a copy any other person who claims legal or physical custody of the child.

After you file the adoption paperwork, the Circuit Judge will schedule a hearing no sooner than 45 days from the date of the filing of the Petition.

4. Under what circumstances can an adoption be granted?

An adoption can be granted if both parents consent to the adoption; one parent consents and the following applies to the other parent; or neither parent consents, but the following applies to both parents:

1. The birth parent's parental rights have been terminated by a Judge;
4. The birth parent has abandoned the child, OR
5. The birth parent is deceased.

5. What is abandonment?

Abandonment is when a birth parent has demonstrated a settled purpose to forego all duties and relinquish all parental claims to a child. This means that the parents have left the child in another person's care and has failed to communicate with or support that child for a period of six months or more.

West Virginia law says that:

A parent has legally abandoned a child over six months old if that parent knows where that child lives and, for six months or longer:

1. Does not support the child financially and
2. Does not visit or stay in touch with the child.

A father has legally abandoned a baby under six months old if the father says he is not the father and he does not support the child financially or stay in touch with the child.

A Judge can terminate a parent's parental rights if they have abandoned a child for a period of more than six months, and an adoption can then be granted.

6. What if it is not the birth parent's fault that they cannot support the child or stay in touch with the child?

If a birth parent's lack of contact or support is not voluntary, then the Court will not find that the parent has abandoned the child. For example, if the persons wishing to adopt the children withheld their contact information from the parents; or if the parent is prevented from supporting or contacting the child due to disability or incarceration, the Court will likely not find that the parent has abandoned the child. If one or both parents refuse to consent to the adoption and have not abandoned the child, the adoption will not be granted.

7. What is consent?

When birth parents freely agree to an adoption, they are giving "consent." For an adoption to go forward, West Virginia law requires that both the birth mother and father consent to the adoption unless a Judge cut off their rights or they abandoned the child. If a Judge cut off the rights of one parent or one parent abandoned the child, then only the other parent needs to consent.

8. Does consent to an adoption need to be in writing?

For consent to be legal, you must give it in writing. You must sign and date the consent in front of a notary public. The following things must be listed on a birth parent consent:

- The birth parent's current address.
- The name, date of birth, and current address of the child.
- That the birth parent allows the adoptive parent to make decisions about the child's medical treatment.
- That the adoption terminates the birth parent's rights forever;

- Whether the child is from a Native American Indian tribe;
- Whether the child owns any property.

The Circuit Court Judge may agree to an adoption without written consent if the birth parent comes in person to the adoption hearing and gives consent in front of the Judge.

9. What if the birth father is unknown?

If the birth mother is not sure who the birth father is, she will need to file a document called an “affidavit” with the court. The affidavit should state:

- Whether the birth mother was married or living with a man at the time she got pregnant;
- Whether any man gave the birth mother money to support the child or for pregnancy costs;
- Whether the birth mother listed a father on the birth certificate or told anyone at the hospital where she gave birth the name of a father;
- Whether the birth mother listed a father when she applied for public assistance.
- Whether the birth mother told any man that he may be the birth father.
- Whether any man, anywhere, has claimed to be the father;

The affidavit should also state:

- The last known address of any man listed above;
- That the mother understands that if she does not name a birth father, it can delay an adoption; and
- That the birth mother understands that the fathers identify will be used only for adoption.

If the birth mother states in an affidavit that she is unsure who the father is, the Judge will review the information and decide if they can identify the likely father. If the Judge can identify a likely father, the Judge will notify the father of the adoption hearings. If the Judge cannot identify a likely father, then the Judge may publish notice of the final adoption hearing in a local newspaper.

10. Does a child have to agree to an adoption?

Children under the age of 12 do not have to agree to an adoption. If a child is under the age of 12, the Court can order the adoption based on the child’s best interests, even if the child does not want it. If a child who is being adopted is over the age of 12, he or she usually needs to agree to the adoption in front of the Judge. The Judge can ignore the wishes of a child 12 or older if the Judge believes the adoption is in the child’s best interest.

11. Do I have to be screened to adopt a child?

You will have to testify that you can financially support the child and that you are of good moral character, meaning that you don’t have any significant criminal history. The Judge may also ask the Department of Health and Human Resources (DHHR) or an agency to do a “home study” of

where you live. Home studies help the Judge decide if your home is safe for the child. Once social workers from DHHR or another agency visit, they will report to the Judge. Sometimes the

Judge does not require a home study if the children have been staying with the adoptive parents for some time.

12. What are the legal effects of an adoption?

When the Judge enters the final adoption order, the order terminates the birth parents' legal rights and duties. The adoptive parents take on all the legal and financial rights and duties of the parents.

13. Can I receive any tax benefits for adopting a child?

If you adopt a child, you can count that child like a birth child as a tax dependent. There are also adoption tax credits that you can take advantage of. You should consult with a tax professional to find out what tax benefits there are when adopting a child.

14. Are there benefits I will gain or lose if I adopt a child?

If you get a WV Works Relative Caregiver check from DHHR, you will lose that check and the associated benefits if you adopt the child. If you get a Social Security Disability check or Veterans' Benefits, your adopted child will qualify for any benefits that a natural born child would be entitled to.

15. Can I represent myself in an adoption hearing?

While there is nothing to prevent a person from representing themselves in an adoption, it would be very difficult to do so. The Supreme Court of Appeals of West Virginia does not have forms you can fill out for adoption. You will probably need a lawyer to at least help you complete the forms or give you the information you need for the forms you file.

If you are a participant in the WV Works program or a recipient of the WV Works Kinship Relative Care Check, you should ask your WV Works caseworker for a referral to Legal Aid of West Virginia. If you do not participate in or receive benefits from WV Works, you may apply for Legal Aid by calling their intake line at 1-866-255-4370 or apply online at www.lawv.net. If you do not qualify for Legal Aid or if you wish to hire a private attorney, you may use the WV State Bar Lawyer Referral Service to help you find an attorney by visiting: <https://wvlawyerreferral.org/>. If you just have questions and need legal information, you can call Tuesday Legal Connect on Tuesday evenings from 6:00 p.m. until 8:00 p.m. by calling **1-800-642-3617**.

Grandparents' Visitation Rights

1. Do grandparents have legal rights to visits with their grandchildren in West Virginia?

West Virginia law protects a grandparent's right to visit with a grandchild in some situations. At the same time West Virginia law also protects the parent-child relationship from interference by grandparents.

The Legislature passed a specific West Virginia statute about Grandparent Visitation. This law defines when and how grandparents may seek a court order forcing a parent to permit the grandparent to spend time with the grandchild. The West Virginia Supreme Court has been emphatic that this law is the “exclusive means through which a grandparent may seek visitation with a grandchild.”

2. What should I do if I want to have visitation with my grandchild?

First, talk to the child’s parents. Tell them you want to see your grandchild. Try to reach an agreement. It is always best to try to resolve the issue with the parents instead of asking for court-ordered visitation.

3. In West Virginia, is a grandparent permitted to seek court-ordered visitation with a grandchild?

Yes. Under West Virginia law a court should grant “reasonable” visitation to a grandparent when two general conditions are met:

- Visitation would be in the best interests of the child, and
- Visitation would not substantially interfere with the parent-child relationship.

For example, Grandparent Visitation may be awarded when the parent through whom the grandparent is related has passed away, is deployed in the military, is incarcerated, is unable to be located, or is otherwise unavailable to allow access to the grandchild.

In making decisions about Grandparent Visitation, however, courts must give “significant weight” to the wishes of the fit parent. The decision is not based ONLY on the “best interests of the child.” The courts must also recognize that the US Constitution protects the right of a fit parent to make decisions regarding the care, custody and control of his or her children, including decisions related to when a grandparent should see his or her child.

4. What if my own son or daughter will not let me visit with my grandchild during his parenting time? Or if I want to visit with the grandchild more than my own son or daughter lets me?

You will not likely be successful in seeking grandparent visitation. If your own child has custody or visitation, the law presumes that no order of grandparent visitation should be issued. The assumption is that you can see the grandchildren when they are with your son or daughter.

To overcome the objection of your own child, the law requires you to present a very strong case. You must make a “clear and convincing” showing that visitation is in the child’s best interest. This will be particularly hard when the parent (your child) is a fit and proper parent but does not want you to see the grandchildren.

Here is how the two situations compare:

- If your own child is absent or unavailable to express her wishes about your visits, you must show that visitation is “probably” in the best interest of the child, even after the court gives special weight to the wishes of the parent.
- If your own child objects to your visits, you must show “clear and convincing” evidence that visitation is in the best interest of the child, even after the court gives special weight to the wishes of the parent. Not just “probably,” but “clear and convincing.” In the legal system this is a big difference.

5. How does the court figure out whether Grandparent Visitation is the in “Best Interests” of the child?

Always remember that the court will look at the Best Interests of the child and give special weight to the preferences of a fit and proper parent. These disputes are not decided according to what’s best for the grandparent. They are decided based on the Best Interests of the child.

The judge will consider a long list of factors to assess the Best Interests of the Child. These include:

1. The child’s age,
2. The relationship between the child and the grandparent,
3. The relationship between the child’s parents and the grandparent,
4. The time since the child last had contact with the grandparent,
5. The effect grandparent visitation would have on the relationship between the child and the child’s parents,
6. Any custody and visitation arrangement that already exists between the parents with regard to the child,
7. The time available to the child and his or her parents. For example, the child’s school schedule, each parent’s work schedule, or the holiday and vacation schedules.
8. The good faith of the grandparent in filing the motion or petitioner,
9. Any history of physical, emotional, or sexual abuse or neglect performed, assisted or allowed by the grandparent
10. Whether the child has lived with the grandparent for a significant period, with or without the child’s parent or parents,
11. Whether the grandparent has been a significant caretaker for the child,
12. The preference of the parents with regard to the requested visitation. The court must give “special weight” to this factor, assuming the parent is fit and capable, and
13. Any other factor which the Court might think is relevant to the best interests of the child.

6. Under the law, who qualifies as a “grandparent” who can file for visitation?

A “grandparent” is defined as any of the following:

- any biological grandparent, or
- a person married to a biological grandparent, or
- any person granted custody of the grandchild’s biological parent.

7. Who can seek grandparent visitation?

If the grandchild is living in West Virginia, any grandparent of that child can ask for court-ordered visitation. The grandparent does not have to live in West Virginia.

If the grandchild does not live in West Virginia, no Grandparent Visitation case can be filed in West Virginia.

8. Where do I file for visitation?

You must file your petition in the county where the child lives. (This may not necessarily be where the grandparent lives.)

You must file your case in Family Court. The only exception is if there is already an abuse and neglect case in circuit court involving the child. In that situation you must file your request for visitation in circuit court.

If the child’s parents already are going through a custody or divorce case in Family Court, you must file in that pending Family Court case for a grandparent visitation order.

9. Can a court take away a grandparent’s rights?

Yes, if it is proven that the grandparent violated the rules and conditions of the court-ordered visitation.

Resources for Grandparents

Public Benefits

- Apply for food, medical and health care assistance at your local DHHR (See page 42 for the DHHR location in your county).
- Apply for Special Supplemental Nutrition Program for Women, Infants and Children (WIC -formula and baby food) at your local WIC office (See page 47 for the WIC office in your area). Children receiving a WV Medical Card automatically qualify regardless of household income.
- Apply for housing assistance at your local housing authority (See page 52 for the Housing Authority in your area).
- Apply for child care assistance through the WV Child Care Resource and Referral Agencies (CCR&R) (See page 61 for the WV CCR&R agency in your area).

Services and Support

- **WV Birth to Three**
 - www.wvdhhr.org/birth23
 - Provides a system of services and supports for children under age three who have a delay in their development or may be at risk of having a delay.
 - Grandparents may call and make a referral for their grandchildren. (See page 59 for the Birth to Three agency serving your county).
- **WV Autism Training Center**
 - Call 304-696-2840

- www.marshall.edu/atc
- The West Virginia Autism Training Center exists to support West Virginians diagnosed with Autism Spectrum Disorder as they pursue a life of quality.
- **Healthy Grandfamilies Program**
 - www.healthygrandfamilies.com
 - Provides an 8 week series of workshops and support
- **WV Relatives as Parent Program (WV RAPP)**
 - 1-866-CALL-MWV (1-866-225-5698)
 - www.missionwv.org
 - Provides information, assistance and training to relatives caring for children who are not their own
- **WV Parents as Teachers Program**
 - www.parentsasteachers.org
 - Provides support and engagement of parents and grandparents to promote the optimal early development, learning and health of their children or grandchildren.
 - See page 62 for a list of agencies that provide this program in your area

Other Resources:

Consumer Protection Division- Office of the Attorney General

- Call 1-800-368-8808
- Consumers who believe they are the victim of unlawful consumer practices can file a complaint with the **Consumer Protection Division**.

West Virginia Coalition Against Domestic Violence

- <http://www.wvcadv.org>
- National Domestic Violence Hotline: 1-800-799-SAFE
- Help and resources for victims of domestic violence

West Virginia 211

- <http://www.wv211.org/> or dial 211
- A link to community resources in West Virginia

Education Resources

• West Virginia Department of Education

- www.wvde.us
- Information for students about scholarships, credit recovery, and AP course fee waivers
- Information for parents about assessment results, immunizations, and college readiness

• College Foundation of West Virginia

- www.cfww.com
- Resources for students and parents on college, career planning, financial aid, and more

• Pathways to the Future

- <http://www.pathwayswv.org>
- Provides resources, tools, and contacts to help students with disabilities
- Includes information on planning for education, career, and independent living after high school

• WorkForce Innovation and Opportunity Act (WIOA) Youth Program

- <http://www.hrdfwv.org/wioa-youth-programs.html>

- Helps low-income young adults achieve education goals

Job Training and Preparation

- **Workforce West Virginia**

- <http://workforcewv.org>
- Can provide paid training in certain job fields, hosts job fairs, and provides an online portal for job searches

- **Job Corps**

- www.jobcorps.gov
- Federally-funded program that provides academic and career training for students.
- Available to young adults between 16 and 24 who meet eligibility requirements and guidelines.

- **YouthBuild**

- <http://rchawv.org/youthbuild/youthbuild-3.html>
- Participants earn money while obtaining valuable experience building houses, with both classroom and on the job experience, during this 10 month program
- Out of school youth between 16 and 24 can apply

- **Employment for Independent Living**

- <http://www.hrdfwv.org/employment-for-independent-living.html>
- Helps youth aging out of foster care find employment and develop work skills
- All youth must be between 16 and 21 years of age, currently in foster care or a group home, or turned 18 in state's custody

Legal Aid of West Virginia

Mission Statement: Legal Aid of West Virginia advocates for low-income, vulnerable West Virginians, seeks equal access to justice, and creates system change in order to improve client safety, health, housing, income and access to resources.

Programs:

Legal Unit: Provides free legal information, advice and representation to qualifying individuals in a wide variety of civil matters, including family law, housing, public benefits, and expungements. We do NOT handle criminal matters, personal injury, or medical malpractice cases.

Behavioral Health Unit: Provides support and advocacy to individuals and families dealing with mental or behavioral disorders. This unit includes our **FAST** program which provides support and advocacy for children who have a mental health co-occurring or co-existing diagnosis and who are struggling in or experiencing discrimination in school or early learning programs because of their mental health challenges.

Long-term and Eldercare (Ombudsman): Protects the rights of seniors and others living in long-term health care facilities.

How to Apply:

- Call: 1-866-255-4370
- Visit: www.lawv.net
- Ask your WV Works caseworker for a referral
- If you are a victim of domestic violence, you can get a referral from your local domestic violence shelter

Other Legal Resources in West Virginia

Legal Information by Phone:

Legal Aid's Law Line- 1-866-985-2948

Listen to recorded phone messages with information on common legal problems like divorce, custody, domestic violence, housing, DHHR benefits and how to represent yourself in court. Each message is 2-3 minutes.

Available 24 hours a day, 7 days a week.

Legal Information Hotline:

Tuesday Legal Connect- 1-800-642-3617

On Tuesday evenings from 6- 8 p.m., volunteer attorneys for the West Virginia State Bar answer phone calls to provide legal information and referrals. This information and the call are free.

Legal Information Online:

Legal Aid's Self-Help Library - www.lawv.net/resources/self-help-library

Legal Aid of West Virginia's Self-Help Library is a place where you can find information about civil legal problems, such as divorce, housing issues, bankruptcy, and more.

Frequently Asked Questions by Seniors- West Virginia Senior Legal Aid – <http://www.seniorlegalaid.net>

West Virginia Senior Legal Aid has legal Frequently Asked Questions on a number of topics, particularly focusing on issues faced by senior citizens age 60 and over.

Court Forms:

West Virginia Judiciary – <http://www.courtswv.gov/legal-community/court-forms.html>

The website for the West Virginia Supreme Court of Appeals has a number of forms available for persons to use and file on their own.

Legal Advice Website:

West Virginia Free Legal Answers – <http://wv.freelegalanswers.org>

West Virginia Free Legal Answers is a website where low-income persons can post legal questions and receive free brief advice from a volunteer attorney. To sign up go to <http://wv.freelegalanswers.org>, answer the eligibility questions, create an account and submit the legal question you need answered. West Virginia Free Legal Answers is a program of the West Virginia State Bar and American Bar Association.

Lawyer Referrals to Lawyers:

West Virginia Lawyer Referral Service - <http://www.wvlawyerreferral.org/>

The Lawyer Referral Service assists people in finding lawyers that are currently taking referrals in specific practice areas. Lawyers in West Virginia are not certified by the West Virginia State Bar in any specific areas of law, but they may have experience or interest in that specific area of practice. On this website, you can search for an attorney in your area. By signing up for this service, the attorney has agreed to see you as a client for an initial consultation for a fee of no more than \$25 for the first 30 minutes of the consultation.

Apply for free legal help:

In addition to Legal Aid, there are organizations in West Virginia that provide free civil legal help if you qualify for their services. To apply for services, you will need to contact each organization.

- **Mountain State Justice - 1-800-319-7132**

If you qualify, provides free legal assistance to low-income consumers who are facing home foreclosure, were lied to in the process of obtaining a loan, purchased a defective home or car; or have received unfair charges on loans or credit accounts. You can also contact Mountain State Justice if you would like to apply for free legal assistance if you are a prisoner or know a prisoner that is being unfairly or unsafely treated in a jail or correctional facility.

- **West Virginia Senior Legal Aid (WVSLA) - 1-800-229-5068**
If you qualify, provides free civil legal services for senior West Virginians age 60 and over. The person age 60 or over who needs legal help must be the one who actually calls WVSLA, not someone else calling on his or her behalf.

- **Clinical Law Program – WVU College of Law - 1-304-293-7249**
If you qualify, provides free legal services to low-income persons, generally in north central West Virginia, in a number of areas including family law, social security, and other public benefits, property issues, consumer debt relief, bankruptcy, and immigration. The Clinic does not take new cases during holiday or summer breaks when law students are not in school.

DHHR County Directory

Barbour County

49 Mattaliano Drive
Philippi, WV 26416
304-457-9030

Berkeley County

433 Mid-Atlantic Park
Martinsburg, WV 25402
304-267-0100

Boone County

156 Resource Lane
Foster, WV 25081
304-369-7802

Braxton County

3708 Sutton Lane
Sutton, WV 26601
304-765-7344

Brooke County

100 Municipal Plaza, Suite 600
Weirton, WV 26062
304-794-3060

Cabell County

2699 Park Avenue, Suite 100
Huntington, WV 25704
304-528-5800

Calhoun County

85 Industrial Park Road
Grantsville, WV 26147
304-354-6118

Clay County

94 Main Street
Clay, WV 25043
304-587-4268

Doddridge County

22 Herbert Ave
Smithburg, WV 26436
304-873-2031

Fayette County

1400 Virginia Street
Oak Hill, WV 25901
304-465-9613

Gilmer County

1493 WV Hwy East
Glennville, WV 26351
304-462-0412

Grant County

53 Kiess Drive
Petersburg, WV 26847
304-257-4211

Greenbrier County

316 Maplewood Ave., Suite 3
Lewisburg, WV 24901
304-647-7476

Hampshire County

24954 Northwestern Pike
Romney, WV 26757
304-822-3060

Hancock County

100 Municipal Plaza, Suite 600
Weirton, WV 26062
304-794-3060

Hardy County

149 Robert C. Byrd Industrial
Park
Moorefield, WV 26836
304-538-2391

Harrison County

153 West Main St., Suite D
Clarksburg, WV 26330
304-627-2295

Jackson County

4285 Cedar Lakes Road
Ripley, WV 25271
304-373-2560

Jefferson County

239 Willow Spring Drive
Charles Town, WV 25414
304-724-2600

Kanawha County

4190 Washington Street
Charleston, WV 25313
304-746-2360

Lewis County

91 Arnold Avenue
Weston, WV 26452
304-269-6820

Lincoln County

8209 Court Avenue
Hamlin, WV 25523
304-824-5811

Logan County

130 Stratton Street
Logan, WV 25601
304-792-7095

Marion County

416 Adams Street
Fairmont, WV 26554
304-368-4420

Marshall County

400 Teletech Drive, Suite 2
Moundsville, WV 26041
304-843-4120

Mason County

1406 Kanawha Street
Point Pleasant, WV 25550
304-675-0880

McDowell County

840 Virginia Ave.
Welch, WV 24801
304-436-8302

Mercer County

350 Davis Street
Princeton, WV 24740
304-425-8738

Mineral County

18 N. Tornado Way
Keyser, WV 26726
304-788-4150

Mingo County

203 East Third Ave.
Williamson, WV 25661
304-235-4680

Monongalia County

114 S. High Street
Morgantown, WV 26507
304-285-3175

Monroe County

174 Route 3 East
Union, WV 24983
304-772-3013

Morgan County

62 Regal Court
Berkeley Springs, WV 25411
304-258-1350

Nicholas County

707 Professional Park Drive
Summersville, WV 26651
304-872-0803

Ohio County

69 16th Street
Wheeling, WV 26003
304-232-4411

Pendleton County

100 Thorn Creek Rd, Suite 200
Franklin, WV 26807
304-358-2305

Pleasants County

1655 South Pleasants Highway
St. Marys, WV 26170
304-684-9244

Pocahontas County

211 Vanhalla Lane
Marlinton, WV 24954
304-799-2540

Preston County

18351 Veteran's Memorial
Highway
Kingwood, WV 26537
304-329-4340

Putnam County

12531 Winfield Road
Winfield, WV 25213
304-586-1520

Raleigh County

407 Neville Street
Beckley, WV 25801
304-256-6930

Randolph County

1027 N. Randolph Ave.
Elkins, WV 26241
304-637-5560

Ritchie County

220 West Main Street
Harrisville, WV 26362
304-643-2934

Roane County

677 Ripley Road, Suite 3
Spencer, WV 25276
304-927-0956

Summers County

320 Summers Street, Suite A
Hinton, WV 25951
304-466-2807

Taylor County

235 Barrett Street
Grafton, WV 26354
304-265-6103

Tucker County

9346 Seneca Trail
Parsons, WV 26287
304-478-3212

Tyler County

210 Main Street
Middlebourne, WV 26149
304-758-2127

Upshur County

34 Auction Lane
Buckhannon, WV 26201
304-473-4230

Wayne County

26452 East Lynn Road
Wayne, WV 25570
304-272-6311

Webster County

110 North Main St., Suite 201
Webster Springs, WV 26288
304-847-2861

Wetzel County

1236 North State Route 2
New Martinsville, WV 26155
304-455-0902

Wirt County

Court Street
Elizabeth, WV 25143
304-275-6551

Wood County

400 5th Street
Parkersburg, WV 26102

Wyoming County

1767 Bearhole Road
Pineville, WV 24874
304-732-6900

WIC Offices by County

Barbour County

23 Wabash Ave.
Philippi, WV 26416
304-457-3362

Berkeley County

109A Tavern Road
Martinsburg, WV 25401
304-267-5477

Boone County

213 Kenmore Drive
Danville, WV 25053
304-369-7967

Braxton County

537 Enterprise Drive
Gassaway, WV 26624
304-364-8778

Brooke County

192 Industrial Park Lane
Beech Bottom, WV 26030
304-394-5090

Cabell County

5187 Rt. 60 E., Suite 12
Huntington, WV 25705
304-302-2013

Calhoun County

186 Hospital Drive, Building 2,
Suite 3
Grantsville, WV 26147
304-354-6898

Clay County

452 Main St.
Clay, WV 25043
304-587-2323

Doddridge County

60 Pennsylvania St.
West Union, WV 26456
304-873-1173

Fayette County

1822 East Main St.
Oak Hill, WV 25901
304-465-5314

Gilmer County

212 East Main St.
Glennville, WV 26351
304-462-5750

Grant County

23 Hospital Drive
Petersburg, WV 26847
304-257-4936

Greenbrier County

170 Coleman Drive, Suite 7
Lewisburg, WV 24901
304-647-7430

Hampshire County

24940 Northwestern Pike
Romney, WV 26757
304-822-5703

Hancock County

2619 Pennsylvania Ave.
Weirton, WV 26062
304-723-3153

Hardy County

712 N. Main St.
Moorefield, WV 26836
304-538-3382

Harrison County

103 East Main St.
Bridgeport, WV 26330
304-848-9680

Jackson County

600 S. Church St., Suite 2
Ripley, WV 25271
304-372-8525

Jefferson County

107 E. 4th Ave.
Ranson, WV 25438
304-725-2028

Kanawha County

4188 W. Washington St.
Charleston, WV 25313
304-746-7880

Cedar Grove location:

408 Alexander St.
Cedar Grove, WV 25039
304-595-3283

Lewis County

2 Brown Ave.
Weston, WV 26452
304-269-1318

Lincoln County

357 Walnut St.
Hamlin, WV 25523
304-824-4008

Logan County

102 Third St.
Logan, WV 25601
304-752-5400

Marion County

532 Pennsylvania Ave.
Fairmont, WV 26554
304-366-2387

Marshall County

500 Tele Tech Drive.
Moundsville, WV 26041
304-845-1800

Mason County

701 22nd St.
Point Pleasant, WV 25550
304-675-5279

McDowell County

17 McDowell Street
Welch, WV 24801
304-436-6122

Mercer County

286 Blue Prince Road
Bluefield, WV 24701
304-325-3922

Mineral County

541 Harley O. Staggers Drive
Keyser, WV 26726
304-788-1683

Mingo County

114 Grace Street
Delbarton, WV 25670
304-475-2295

Monongalia County

1000 Elmer Prince Drive
Morgantown, WV 26505
304-598-5181

Monroe County

108 Back Valley Road
Lindside, WV 24951
304-753-5582

Morgan County

106 Sand Mine Road
Berkeley Springs, WV 25411
304-258-6074

Nicholas County

852 Northside Drive, Suite 22
Summersville, WV 26651
304-872-0826

Ohio County

45 18th Street
Wheeling, WV 26003
304-234-3888

Pendleton County

299 Confederate Road
Franklin, WV 26807
304-358-3088

Pleasants County

605 Cherry Street
St. Marys, WV 26170
304-684-2217

Pocahontas County

819 Third Ave.
Marlinton, WV 24954
304-799-6550

Preston County

1343 N. Preston HWY, Ste. 2
Kingwood, WV 26537
304-329-1957

Putnam County

Putnam Village Shopping Center
Teays, WV 25569
304-757-4200

Raleigh County

1600 Harper Road
Beckley, WV 25801
304-255-9034

Randolph County

107 Davis St.
Elkins, WV 26241
304-636-8100

Ritchie County

125 West Main St.
Harrisville, WV 26362
304-643-4082

Roane County

200 Main Street, East
Spencer, WV 25276
304-927-4977

Summers County

312 3rd Ave.
Hinton, WV 25951
304-466-5900

Taylor County

101 Beech St.
Grafton, WV 26354
304-265-2890

Tucker County

206 Senior Lane
Parsons, WV 26287
304-478-3096

Tyler County

403 South 2nd Ave.
Paden City, WV 26159
304-337-2011

Upshur County

33 Southfork Plaza Dr.
Buckhannon, WV 26201
304-472-4714

Wayne County

42 McGinnis Drive
Wayne, WV 25570
304-272-3951

Ft. Gay Location:

Ft. Gay Family Health Ctr
71 Wayne St.
Ft. Gay, WV 25514

Webster County

80 North Main St.
Webster Springs, WV 26288
304-847-2601

Wetzel County

403 South 2nd Ave.
Paden City, WV 26159
304-337-2011

Wirt County

88 Senior Circle
Elizabeth, WV 26143
304-275-3150

Wood County

211 6th Street
Parkersburg, WV 26101
304-428-3688

Vienna Location:

1605 34th Street
Vienna, WV 26105
304-428-3688

Wyoming County

Route 10, Main Street
Oceana, WV 24870
304-682-0475

Housing Authority Offices by County

Barbour County

Housing Authority of Randolph
County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Berkeley County

703 S. Porter Ave.
Martinsburg, WV 25401
304-263-8891

Boone County

Housing Authority of Boone
County
Black Diamond Arbors
Danville, WV 25053
304-369-3442

Braxton County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Brooke County

Housing Authority of the City of
Weirton
525 Cove Road
Weirton, WV 26062
304-797-8530

Cabell County

Housing Authority of the City of
Huntington
300 7th Avenue West
Huntington, WV 25701
304-526-4400

Calhoun County

Housing Authority of the County
of Jackson
75 Whispering Way
Ripley, WV 25271
304-372-2343

Clay County

Charleston/Kanawha Housing
Authority
1525 Washington St., West
Charleston, WV 25387
304-348-6451 ext. 322

Doddridge County

Parkersburg Housing Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Fayette County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Gilmer County

Housing Authority of the County
of Jackson
75 Whispering Way
Ripley, WV 25271
304-372-2343

Grant County

Grant County Housing Authority
Johnson Run Road
PO Box 125
Petersburg, WV 26847
304-257-4087

Greenbrier County

Greenbrier Co. Housing Authority
142 Maplewood Ave.
Lewisburg, WV 24901
304-645-4966

Hampshire County

Housing Authority of the City of
Romney
100 Valley View Drive
Romney, WV 26757
304-822-5296

Hancock County

Housing Authority of the City of
Weirton
525 Cove Road
Weirton, WV 26062
304-797-8530

Hardy County

Housing Authority of the City of
Keyser
470 Virginia St.
Keyser, WV 26726
304-788-2225

Harrison County

Clarksburg/Harrison Regional
Housing Authority
433 Baltimore Ave.
Clarksburg, WV 26301
304-623-3323

Jackson County

Housing Authority of the County
of Jackson
75 Whispering Way
Ripley, WV 25271
304-372-2343

Jefferson County

Housing Authority of the City of
Martinsburg
703 S. Porter Ave.
Martinsburg, WV 25401
304-263-8891

Kanawha County

Charleston/Kanawha Housing
Authority
1525 Washington St., West
Charleston, WV 25387
304-348-6451 ext. 322

Housing Authority of the City of
Dunbar
900 Dutch Hollow Road
Dunbar, WV 25064
304-768-8006

Housing Authority of the City of
St. Albans
650 6th Street
St. Albans, WV 25177
304-727-5441

Housing Authority of the City of
South Charleston
520 Goshorn Street
So. Charleston, WV 25309
304-768-9315

Lewis County

Housing Authority of the City of
Weston
124 E. 1st Street
Weston, WV 26452
304-269-6159

Housing Authority of Randolph
County (Lewis County)
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Lincoln County

Boone County Housing and
Redevelopment Authority
824 Lick Creek Road
Danville, WV 25053
304-369-3442

Logan County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Marion County

Fairmont/Morgantown Housing
Authority
103 12th Street
Fairmont, WV 26555
304-363-0860

Marshall County

Housing Authority of Benwood
and McMechen
2200 Marshall Street
Benwood, WV 26031
304-233-0830

Housing Authority of the City of
Moundsville
501 Tenth St.
Moundsville, WV 26041
304-845-3141

Mason County

Housing Authority of the City of
Point Pleasant
404 Second Street
Point Pleasant, WV 25550
304-675-4414

McDowell County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Mercer County

Housing Authority of the City of
Bluefield
1600 Hill Avenue
Bluefield, WV 24701
304-325-9653

Mineral County

Housing Authority of the City of
Keyser
470 Virginia St.
Keyser, WV 26726
304-788-2225

Housing Authority of the City of
Piedmont
51 Jones Street
Piedmont, WV 26750
304-355-2929

Mingo County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Housing Authority of the City of
Williamson
1612 W. 6th Avenue
Williamson, WV 25661
304-235-3270

Monongalia County

Fairmont/Morgantown Housing
Authority
103 12th Street
Fairmont, WV 26555
304-363-0860

Monroe County

Raleigh Co. Housing Authority
282 George St.
Beckley, WV 25801
304-255-5164

Morgan County

Greenbrier Co. Housing Authority
142 Maplewood Ave.
Lewisburg, WV 24901
304-645-4966

Nicholas County

Raleigh Co. Housing Authority
282 George St.
Beckley, WV 25801
304-255-5164

Ohio County

Housing Authority of the City of
Wheeling
11 Community Street
Wheeling, WV 26003
304-242-4447 ext. 109

Pendleton County

Housing Authority of Randolph
County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Pleasants County

Housing Authority of the City of
Parkersburg
1901 Cameron Avenue
Parkersburg, WV 26101
304-428-6400

Pocahontas County

Raleigh Co. Housing Authority
282 George St.
Beckley, WV 25801
304-255-5164

Preston County

Fairmont/Morgantown Housing
Authority
103 12th Street
Fairmont, WV 26555
304-363-0860

Putnam County

Charleston/Kanawha Housing
Authority
1525 Washington St., West
Charleston, WV 25387
304-348-6451

Raleigh County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25802
304-255-5164

Housing Authority for the City of
Beckley
100 Beckwoods Drive
Beckley, WV 25801
304-256-1772

Randolph County

Housing Authority of Randolph
County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Housing Authority of the City of
Elkins
Gateway Apartments
1 Stoddard Ave.
Elkins, WV 26241
304-636-6793

Ritchie County

Parkersburg Housing Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Roane County

Housing Authority of the City of
Spencer
601 Market Street
Spencer, WV 25276
304-927-4181

Summers County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Taylor County

Housing Authority of the City of
Grafton
131 East Main Street
Grafton, WV 26354
304-265-1183

Tucker County

Housing Authority of Randolph
County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Tyler County

Parkersburg Housing Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Upshur County

Housing Authority of Randolph
County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Housing Authority of the City of
Buckhannon
23 ½ Hinkle Drive
Buckhannon, WV 26210
304-472-1305

Wayne County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Webster County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Wetzel County

Parkersburg Housing Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Wirt County

Parkersburg Housing Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Wood County

Parkersburg Housing Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Wyoming County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

WV Birth to Three

www.wvdhhr.org/birth23

Region 1: Brooke, Hancock, Marion, Marshall, Monongalia, Ohio, Tyler, Wetzel

Catholic Charities West Virginia
2000 Main Street, Suite 222
Wheeling, WV 26003
1-800-619-5697

Region 2: Calhoun, Doddridge, Gilmer, Harrison, Pleasants, Ritchie, Wirt, Wood

The Arc of Mid-Ohio Valley
912 Market St.
Parkersburg, WV 26101
1-866-401-8919

Region 3: Clay, Jackson, Kanawha, Roane

River Valley Child Development
1 Players Club Drive, Ste. 160
Charleston, WV 25311
1-844-885-0618

Region 4: Boone, Cabell, Lincoln, Logan, Mason, Mingo, Putnam, Wayne

River Valley Child Development
432 2nd Street
Huntington, WV 25701
1-866-982-8855

Region 5: Barbour, Lewis, Preston, Randolph, Taylor, Tucker, Upshur

MountainHeart Community Services
1200 Harrison Ave., Suite 220
Elkins, WV 26241
1-800-449-7790

Region 6: Braxton, Greenbrier, Monroe, Nicholas, Pocahontas, Summers, Webster

MountainHeart Community Services
25 Red Oak Shopping Center
Lewisburg, WV 24901
1-866-229-0461

Region 7: Fayette, McDowell, Mercer, Raleigh, Wyoming

MountainHeart Community Services
1411 North Walker Street
Princeton, WV 24740
1-866-207-6198

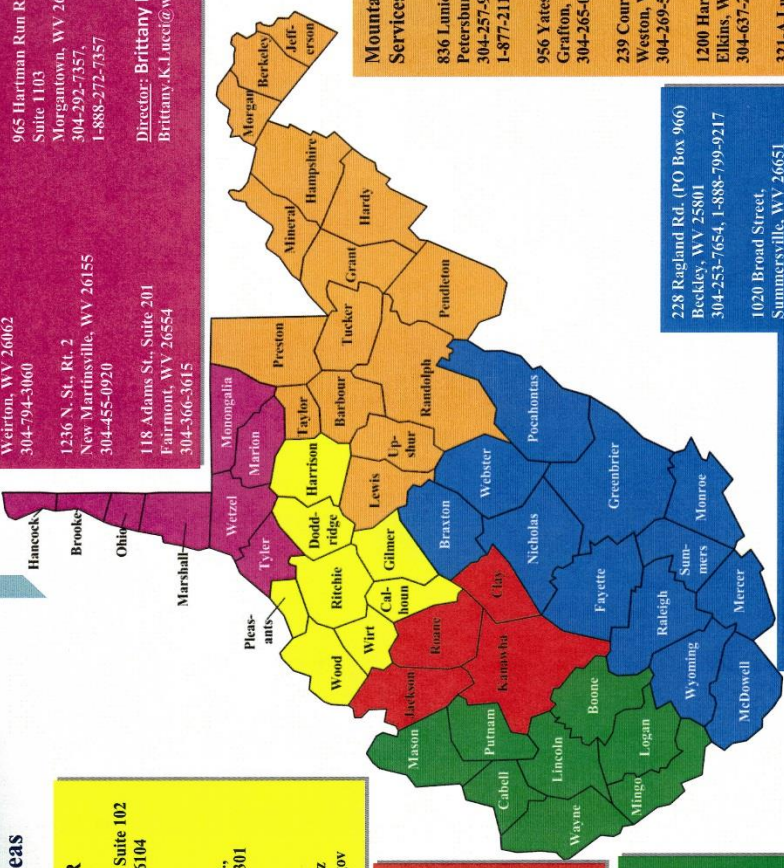
Region 8: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton

RESA 8 Child Development Services
109 S. College Street
Martinsburg, WV 25401
Phone: 1-800-367-3728

DIRECTORY

Child Care Resource and Referral Agencies (child care assistance)

West Virginia
Child Care Resource and Referral Agency
Areas



Child Care Resource Center
Catholic Charities West Virginia
2000 Main St., Suite 100
Wheeling, WV 26003
304-232-1603
1-800-585-1603
965 Hartman Run Rd.,
Suite 1103
Morgantown, WV 26505
304-292-7357
1-888-272-7357
Director: Brittany Lucci
Brittany.Lucci@wv.gov

Child Care Resource Center
100 Municipal Plaza, Suite 600
Weirton, WV 26062
304-794-3060
1236 N. St., Rt. 2
New Martinsville, WV 26155
304-455-0920
118 Adams St., Suite 201
Fairmont, WV 26554
304-366-3615

Choices CCR&R
4421 Emerson Ave., Suite 102
Parkersburg, WV 26104
304-485-2668
1-866-966-2668
315 North Ohio Ave.,
Clarksburg, WV 26301
304-622-6528
1-866-622-6528
Director: Kristy Ritz
Kristy.A.Ritz@wv.gov

Connect CCR&R
1 Player's Club Drive
Charleston, WV 25311
304-414-4488
1-888-595-8290
Director: Toni McKinley
Toni.L.McKinley@wv.gov

Link CCR&R
611 7th Ave., Suite 100
Huntington, WV 25701
304-523-9540
1-800-894-9540
19 Circle Drive
Logan, WV 25601
304-752-3932
Director: Cristie Dunbar
Cristie.R.Dunbar@wv.gov

MountainHeart Community Services North
836 Lunice Ck HWY (PO Box 728)
Petersburg, WV 26847
304-257-9375
1-877-211-KIDS(5437)
956 Yates Avenue (PO Box 32)
Grafton, WV 26354
304-265-0142, 1-877-811-KIDS(5437)
239 Court Ave. (PO Box 630)
Weston, WV 26452
304-269-5332, 1-866-232-9227
1200 Harrison Ave., Suite 220
Elkins, WV 26241
304-637-2840, 1-877-862-3103
321-A Lutz Avenue
Martinsburg, WV 25404
304-262-1584, 1-888-915-7653
Director: Willetta Bolinger
Willetta.J.Bolinger@wv.gov

MountainHeart Community Services South
228 Ragland Rd. (PO Box 966)
Beckley, WV 25801
304-253-7654, 1-888-799-9217
1020 Broad Street,
Summersville, WV 26651
304-872-9200, 1-866-598-4452
330 Red Oak Shopping Center
Suite 6
Ronceverte, WV 24970
(PO Box 1610)
Lewisburg, WV 24901
304-647-3800, 1-855-843-0720
Director: Margaret Younce
Margaret.A.Younce@wv.gov

Parents as Teachers Agencies by County

This is compiled information obtained on the internet and is as accurate as possible. When contacting the agency ask for the Parents as Teachers Program.

Barbour County

Allegheny Highlands Parents as Teachers
39 S. Main St.
Philippi, WV 26416
304-457-2691
304-478-3827

Berkeley County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Boone County

Cornerstone Family
Interventions, Inc.
331 State Street, Suite 300
Madison, WV 25130
304-369-5283

Braxton County

Clay-Braxton Parents as Teachers
PO Box 120
242 Church St.
Clay, WV 26043
304-587-2445

Brooke County

Brooke Hancock Family
Resource Network
1300 Potomac Ave.
Weirton, WV 26062
304-748-7850

Cabell County

No parents as teachers program,
similar services may be available
from:

Mountain State Healthy Families
304-523-9587

Calhoun County

Children's Home Society of West
Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Clay County

Clay-Braxton Parents as
Teachers
PO Box 120
242 Church St.
Clay, WV 25043
304-587-2445

Clay-Nicholas Parents as
Teachers
PO Box 168
190 Riverside Drive
Richwood, WV 26261
304-286-3182

Doddridge County

Doddridge County Starting
Points Center, Inc.
1171 WV Route 18 N., Suite 3,
1034
West Union, WV 26456
304-873-3500

Fayette County

New River Health MIHOW
19 Jefferson St.
Fayetteville, WV 25840
304-469-2415

Gilmer County

Children's Home Society of West
Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Grant County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Greenbrier County

Rainelle Medical Center
176 Medical Center Drive
Rainelle, WV 25962
304-438-6188

Hampshire County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-260-5884

Hancock County

Brooke Hancock Family
Resource Network
1300 Potomac Ave.
Weirton, WV 26062
304-748-7850

Hardy County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Harrison County

Harrison County Parents as
Teachers
127 W. Main St.
Clarksburg, WV 26301
304-622-0292

Jackson County

Children's Home Society
1717 St. Mary's Ave.
Parkersburg, WV 26101
304-485-0650

Jefferson County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Kanawha County

Regional Family Resource
Network
1078 Main St.
Elkview, WV 25071
304-595-5521

Lewis County

Lewis County Family Resource
Network
240 Court Ave.
Weston, WV 26452
304-269-4000

Lincoln County

Cornerstone Family
Interventions, Inc.
331 State Street, Suite 300
Madison, WV 25130
304-369-5283

Logan County

No parents as teachers program,
similar services may be available
from:

Mountain State Healthy Families
304-523-9587

Marion County

* Available services for Marion
County may be limited
Harrison County Parents as
Teachers
127 W. Main St.
Clarksburg, WV 26301
304-622-0292

Marshall County

Marshall County Family
Resource Network
1501 Second St.
Moundsville, WV 26041
304-845-3300

Mason County

No parents as teachers program,
similar services may be available
from:

Mountain State Healthy Families
304-523-9587

McDowell County

The Community Crossing, Inc.
225 Maple Ave.
Welch, WV 24801
304-436-8300 ext. 101

Mercer County

REACHH FRC
205 Thorn St.
Princeton, WV 24740
304-466-2226

Mineral County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Mingo County

Able Families, Inc.
PO Box 1249
Kermit, WV 25674
304-393-4987

Monongalia County

Mon County FRC/The
Shack/MIHOW
537 Blue Horizon Drive
Morgantown, WV 26501
304-983-7700 ext. 204

Monroe County

Monroe County Early Headstart
PO Box 330
Union, WV 24983
304-772-3284

Morgan County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Nicholas County

Clay-Nicholas Parents as
Teachers
PO Box 168
190 Riverside Drive
Richwood, WV 26261
304-846-4479

Ohio County

Ohio County MIHOW
94 Finch Ave.
Wheeling, WV 26003
304-232-4590

Pendleton County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Pleasants County

Children's Home Society of West
Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Pocahontas County

Greenbrier/Pocahontas Parents
as Teachers
2161 Douthards Creek Road
Marlinton, WV 24954
304-799-6339

Preston County

Preston County Caring Council,
Inc.
Preston-Taylor Parents as
Teachers
105 West High Street
Kingwood, WV 26537
304-329-1968

Putnam County

No parents as teachers program,
similar services may be available
from:

Mountain State Healthy Families
304-523-9587

Raleigh County

New River Health MIHOW
19 Jefferson St.
Fayetteville, WV 25840
304-469-2415

Randolph County

Allegheny Highlands PAT
305 Henry Ave.
Elkins, WV 26241
304-636-4454

Ritchie County

Children's Home Society
59 Stadium Drive
Pennsboro, WV 26415
304-659-3988

Roane County

Children's Home Society of West
Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Summers County

REACHH Family Resource
Center
411 Temple Street
Hinton, WV 25951
304-466-2226

Taylor County

Taylor County Family Resource
Network
#1 Prospect Street
Grafton, WV 26354
304-903-8362

Tucker County

Tucker County Family Resource
Network
Allegheny Highlands PAT
100 Education Lane
Parsons, WV 26287
304-478-3827

Tyler County

Wetzel County Center for
Children and Families
Rt. 2 Box 107
New Martinsville, WV 26155
304-455-2468

Upshur County

Lewis County Family Resource
Network
240 Court Ave.
Weston, WV 26452
304-269-4000

Wayne County

No parents as teachers program,
similar services may be available
from:

Mountain State Healthy Families
304-523-9587

Webster County

Nicholas County Starting Points
190 Riverside Drive
Richwood, WV 26261
304-846-4479

Wetzel County

Wetzel County Center for
Children and Families
Rt. 2 Box 107
New Martinsville, WV 26155
304-455-2468

Wirt County

Children's Home Society of West
Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Wood County

Children's Home Society of West
Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Wyoming County

MountainHeart Community
Services
PO Box 1509
Oceana, WV 24870
304-682-6535

Legal Aid of West Virginia Offices by County

** Please note that you cannot apply for services or speak to an attorney by visiting or calling a local office. You can visit a local office to pick up forms or browse our brochures. We also offer a direct phone line to our intake system in the lobbies of each of our offices to apply for services. Please call 1-866-255-4370 to apply for services, or apply online at www.lawv.net.

Barbour County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Berkeley County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Boone County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Braxton County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Brooke County

The Mull Center
1025 Main Street, Suite 716
Wheeling, WV 26003
304-232-1260

Cabell County

418 8th Street, 2nd Floor
Huntington, WV 25701
304-697-2070

Calhoun County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Clay County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Doddridge County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Fayette County

115B South Kanawha Street
Beckley, WV 25801
304-255-0561

Gilmer County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Grant County

224 Third St.
PO Box 229
Elkins, WV 26241

Greenbrier County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Hampshire County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Hancock County

The Mull Center
1025 Main Street, Suite 716
Wheeling, WV 26003
304-232-1260

Hardy County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Harrison County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Jackson County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Jefferson County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Kanawha County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Lewis County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Lincoln County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Logan County

107 Stratton St.
Logan, WV 25601
304-752-4178

Marion County

165 Scott Ave., Suite 209
Morgantown, WV 26508
304-296-0001

Marshall County

The Mull Center
1025 Main Street, Suite 716
Wheeling, WV 26003
304-232-1260

Mason County

418 8th Street, 2nd Floor
Huntington, WV 25701
304-697-2070

McDowell County

1519 North Walker St.
Princeton, WV 24740
304-487-1463

Mercer County

1519 North Walker St.
Princeton, WV 24740
304-487-1463

Mineral County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Mingo County

107 Stratton St.
Logan, WV 25601
304-752-4178

Monongalia County

165 Scott Ave., Suite 209
Morgantown, WV 26508
304-296-0001

Monroe County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Morgan County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Nicholas County

115B South Kanawha St.
Beckley, WV 25801
304-255-0561

Ohio County

The Mull Center
1025 Main Street, Suite 716
Wheeling, WV 26003
304-232-1260

Pendleton County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Pleasants County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Pocahontas County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Preston County

165 Scott Ave., Suite 209
Morgantown, WV 26508
304-296-0001

Putnam County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Raleigh County

115B South Kanawha Street
Beckley, WV 25801
304-255-0561

Randolph County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Ritchie County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Roane County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Summers County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Taylor County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Tucker County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Tyler County

The Mull Center
1025 Main Street, Suite 716
Wheeling, WV 26003
304-232-1260

Upshur County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Wayne County

418 8th Street, 2nd Floor
Huntington, WV 25701
304-697-2070

Webster County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Wetzel County

The Mull Center
1025 Main Street, Suite 716
Wheeling, WV 26003
304-232-1260

Wirt County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Wood County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Wyoming County

1519 North Walker St.
Princeton, WV 24740
304-487-1463



A LEGAL GUIDE FOR KINSHIP CAREGIVERS

RESOURCES IN WEST VIRGINIA TO HELP WITH RAISING
A RELATIVE'S CHILD

A COLLABORATION BY



Mission
WEST VIRGINIA

DISCLAIMER

Legal Aid of West Virginia is providing this booklet for informational purposes only, as part of a partnership with Mission West Virginia. Legal Aid of WV does not warrant this information for any purpose. This booklet should not be considered legal advice. It does not create an attorney-client relationship. Please note that laws can change. New laws are passed in the West Virginia legislature every year. These laws are continually being interpreted by the Courts, creating new case law. If you have a legal issue, you should always consider consulting with an attorney for legal advice tailored to your circumstances.

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KINSHIP CARE TO-DO LIST

1. Obtain written permission from the parent(s) to provide care for the child, if possible.

2. Obtain a copy of the child's birth certificate and social security card, if possible.

3. Apply for benefits at the DHHR

___ WV WORKS Kinship Relative Check

___ Medical Card/ WV CHIP

___ Food Stamps

___ Clothing Voucher

___ WV Choices/Day Care Assistance

4. Find out who the child's medical care providers are and ensure that child keeps next appointments.

5. Make contact with the child's school to ensure there are no enrollment issues.

6. Inquire about your legal options to secure custody of the child.

___ Ask WV WORKS Caseworker for referral to Legal Aid

___ Contact Legal Aid to Apply – call 1-866-255-4370 or apply online at www.lawv.net

___ Contact a private attorney for a consultation

Important Documents Check-List

Start a File for the Child

- ☐ Birth Certificate
- ☐ Social Security Card
- ☐ Medical Card or other Health Insurance Card
- ☐ Immunization records
- ☐ School records
- ☐ Medical records, including a list of any allergies and prescriptions
- ☐ Any legal documentation, such as guardianship or other court orders related to the child
- ☐ Any written documentation giving you permission to care for the child
- ☐ Names and phone numbers of all case workers and medical providers
- ☐ Information about the parents, including dates of birth, social security numbers, and current addresses
- ☐ Create and keep a timeline of where and with whom the child has resided since birth
- ☐ Up-to-date, clear photo of the child

Obtaining a Temporary Care Agreement from the Parents

If possible, obtaining a Temporary Care Agreement from one or both of the child's parents can be helpful to obtain medical care for the child, enroll the child in school, and obtain information and documents related to the child. Don't worry if you can't get the parents to sign an agreement. There are ways to accomplish all of the things mentioned without such a document, but the document will make these tasks easier.

Temporary Care Agreements can be as informal as a note written on a sheet of paper, or as formal as a notarized document. On page 7 of this booklet, you will find a form that you can use to obtain an agreement from one or more of the child's parents. This form is intended to be signed by a parent before a notary.

These agreements are temporary. A parent can revoke the agreement by simply stating that he or she no longer wants you to care for the child. This agreement is not a substitute for guardianship, which is discussed later in this booklet.

How to Obtain Medical Care Consent for the Child

If you are unable to obtain a temporary care agreement or other parental permission for medical treatment, you can complete a Caregiver Consent Affidavit for Health Care. This form allows relatives or someone other than the child's parent to consent to health care and medical treatment for the child.

If you do not have a court order that gives you the right to make health care decisions for a child, you can use the Caregiver's Consent Affidavit to approve such care if:

- You are over the age of 18 **and**
- You are related to the child by blood or marriage; **or** the child has resided with you during the last six months or more **and**

- You have been unable to obtain the child's parents' consent to obtain medical care for the child, despite attempts to obtain such consent **and**
- **The parents have not refused consent.** This form cannot be used if the parents have refused to give you permission to obtain medical care for the child.

The affidavit does not give you legal custody of the child and does not affect the rights of the child's parents. If the parents object, the consent is no longer valid. By signing the affidavit, you are swearing that the information contained in it is true. The consent form is only valid for one year after you sign it.

You can find a copy of this form on page 7 of this booklet.

How to Obtain a Child's Birth Certificate

To get a certified copy of a child's birth certificate:

You must be:

- ☐ A grandparent of the person on the certificate, **or**
- ☐ A brother or sister of the person on the certificate, **or**
- ☐ Have a legal interest in the certificate.

Where to obtain certificate:

1. Courthouse - You can obtain a certified copy of a child's birth certificate in the county where the child was born for a \$5.00 fee by visiting the County Clerk's office. Make sure you bring your driver's license with you. **Please note that in most counties the Board of Education will not accept the Courthouse copy of the child's birth certificate.**

2. WV Health Statistics Office in Charleston, WV- You can order a certificate from the state office by doing the following:

- ☐ **Visiting the office in person:**

- Go to the WV Health Statistics office in Charleston at 350 Capitol Street
- Bring your ID, \$12, and the completed application, located on page 10.

☐ **By mail:**

- This is the slower method of obtaining a certificate, taking 5 to 19 days
- Fill out the application located on page 10 of this booklet and mail it to Vital Registration, Room 165, 350 Capitol Street, Charleston, WV 25031, with a check or money order for \$12.

If you have any questions about obtaining a birth certificate, you may reach Vital Registration by calling 304-558-2931.

How to Obtain a Social Security Card for a Child

You will need:

- 1. Proof of the child's identity:** certified copy of the child's birth certificate AND one of the following: a certified copy of a medical record, a medical card, school identity card, school records, and/or adoption decree.
- 2. Proof of your identity:** driver's license or passport
- 3. Proof of your custody of, or relationship with, the child:** birth certificates, and/or court orders.
- 4. A completed Application for Social Security Card.** (See page 11 of this booklet)

If you have any questions about the proof documents required, you may call Social Security at 1-800-772-1213.

You will take or mail these documents to your local Social Security Office. The Social Security office requires original/certified copies of all documents, so it is best to take the documents in person so that you can keep your originals.

Note: There are limits on the number of replacement social security cards that can be obtained by, or for, one person. Social Security Cards are limited to three (3) per calendar year and only ten (10) in the child's or person's lifetime.

Obtaining Other Documents

- Check with the child's current and former schools for Individual Education Plans (IEPs), other school records and immunization records.
- Check with the child's medical care providers for medical records, information related to allergies and prescriptions, and immunization records.

TEMPORARY CARE/CUSTODY AGREEMENT

I, _____, a resident of _____ County, West Virginia,
the custodial parent of the following child: (Please indicate name and birthdates of children)

do hereby give temporary custody of said child to: (Name, Address and Relationship)

Further, I give my permission to the aforementioned person(s) to take care of the child in his/her home and to apply for, consent to, or otherwise obtain any medical treatment or any economic, social, educational, or other services that the child may need. I expressly give permission to this individual to accept any State or Federal Benefits that may be available through the Department of Health and Human Resources, or other agency, to benefit my child.

This agreement is temporary in nature and shall be immediately revocable upon written notice that the Parent desires to terminate the care agreement and resume caring for the child.

Parent

Date

Parent

Date

Taken, subscribed and sworn to before the undersigned authority this day, the _____
day of _____, 20____.

NOTARY PUBLIC

My commission expires: _____.

AFFIDAVIT FOR CONSENT FOR HEALTH CARE FOR A MINOR

State of West Virginia,

County of _____

Name of county where you are physically located at the time you sign the document

After being duly sworn, I, _____, provide the following information: _____
Adult Caregiver's Name

A. 1. My full name is: _____
Adult Caregiver's First, Middle and Last Name

2. My current address is: _____
Adult Caregiver's Address

3. My birthdate is: _____
Adult Caregiver's Date of Birth

4. _____ was born on _____
Child's Name Child's Birthdate

5. _____ has resided continuously with me since _____
Child's Name
Date Child Came to Live with You

6. _____ I am not related to the child; OR

_____ I am related to _____ in the following manner:
Child's Name

☐ Sibling

☐ Maternal
Grandparent/Great
Grandparent

☐ Maternal Aunt or Uncle

☐ Maternal Cousin

☐ Paternal
Grandparent/Great
Grandparent

☐ Paternal Aunt or Uncle

☐ Paternal Cousin

☐ Other:

7. The child's mother is _____ who resides at _____
Mother's Name

Mother's Address

8. The child's father is _____ who resides at _____
Father's Name

Father's Address

9. I have attempted, but have been unable to obtain, the consent of the minor child's parents, guardian or legal custodian to allow me to obtain medical care on the child's behalf.

10. The minor child's parent, guardian or legal custodian has not refused to give consent for health care and treatment of the minor child.

11. I have made the following attempts to obtain the consent of the minor child's parent, guardian or legal custodian to seek medical care on behalf of the minor child (detail your attempts):

GENERAL NOTICES:

- This consent form is promulgated pursuant to West Virginia Code §49-2-701 et seq.
- This declaration does not affect the rights of the minor child's parents, guardians or legal custodians regarding the care, custody and control of the minor, other than with respect to health care, and does not give the caregiver legal custody of the minor child.
- This affidavit is valid for one year unless the minor no longer resides in the caregiver's home. Furthermore, the minor's parent, guardian or legal custodian may rescind this affidavit of caregiver consent for a minor's health care at any time by providing written notification of the rescission to the appropriate health care professional.
- A person who relies in good faith on this affidavit of caregiver consent for a minor's health care has no obligation to conduct any further inquiry or investigation and is not subject to civil or criminal liability or to professional disciplinary action because of that reliance.

Based upon all of the statements above, I believe that I am the person who can give consent for the health care for _____.
Child's Name

Signature of Caregiver

Date

Acknowledged before me this the ____ day of _____, 20_____.

NOTARY PUBLIC

My commission expires: _____.



Application for Certified Copy of West Virginia Birth Certificate

Please complete on-line, print, sign, and mail as instructed below or print except where signature is required.

The following pertains to information that would be found on the certificate being requested.

Name of person on the certificate

First Middle Last

Date of Birth

Month/Day/Year

Mother's Maiden Name

First Middle Last

Sex:

☐

Male

☐

Female

Father's Name

First Middle Last

Place of Birth

City _____ County _____ State _____

Hospital

Requestor's Relationship:

Parent/Grandparent ☐

Guardian or agent ☐

Child/Grandchild ☐

Certificate of my own birth ☐

Spouse ☐

Brother/Sister ☐

Making false statements and misuse of vital records will result in criminal and civil penalties pursuant to WV Code §16-5-38.

Signature (Required)

Printed Name (Required)

Requesting _____ copies at \$12.00 per copy and enclosing \$_____.

Please send check or money order. Please do not send cash.

Make checks payable to: Vital Registration

Send copies to: Print your address below.

City

State

Zip

()

Area Code

Your daytime telephone number:

E-Mail address

Submit form with check or money order to:
Vital Registration ,
Room 165
Charleston, WV 25301-3701
Telephone: (304) 558-2931

Last Revised 1/9/09

SOCIAL SECURITY ADMINISTRATION

Application for a Social Security Card

Form Approved
OMB No. 0960-0066

1	NAME TO BE SHOWN ON CARD		First	Full Middle Name	Last
	FULL NAME AT BIRTH IF OTHER THAN ABOVE		First	Full Middle Name	Last
	OTHER NAMES USED				
2	Social Security number previously assigned to the person listed in item 1			<div style="border: 1px solid black; width: 100px; height: 20px; display: flex; justify-content: space-between;"> </div> <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; justify-content: space-between;"> </div>	
3	PLACE OF BIRTH (Do Not Abbreviate) City State or Foreign Country			Office Use Only FCI	4 DATE OF BIRTH MM/DD/YYYY
5	CITIZENSHIP (Check One)		<input type="checkbox"/> U.S. Citizen <input type="checkbox"/> Legal Alien Allowed To Work <input type="checkbox"/> Legal Alien Not Allowed To Work (See Instructions On Page 3) <input type="checkbox"/> Other (See Instructions On Page 3)		
6	ETHNICITY Are You Hispanic or Latino? (Your Response is Voluntary) <input type="checkbox"/> Yes <input type="checkbox"/> No		7	RACE Select One or More (Your Response is Voluntary) <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> American Indian <input type="checkbox"/> Other Pacific Islander <input type="checkbox"/> Alaska Native <input type="checkbox"/> Black/African American <input type="checkbox"/> White <input type="checkbox"/> Asian	
8	SEX		<input type="checkbox"/> Male <input type="checkbox"/> Female		
9	A. PARENT/ MOTHER'S NAME AT HER BIRTH		First	Full Middle Name	Last
	B. PARENT/ MOTHER'S SOCIAL SECURITY NUMBER (See instructions for 9 B on Page 3)		<div style="border: 1px solid black; width: 100px; height: 20px; display: flex; justify-content: space-between;"> </div> <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; justify-content: space-between;"> </div> <input type="checkbox"/> Unknown		
10	A. PARENT/ FATHER'S NAME		First	Full Middle Name	Last
	B. PARENT/ FATHER'S SOCIAL SECURITY NUMBER (See instructions for 10B on Page 3)		<div style="border: 1px solid black; width: 100px; height: 20px; display: flex; justify-content: space-between;"> </div> <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; justify-content: space-between;"> </div> <input type="checkbox"/> Unknown		
11	Has the person listed in item 1 or anyone acting on his/her behalf ever filed for or received a Social Security number card before? <input type="checkbox"/> Yes (If "yes" answer questions 12-13) <input type="checkbox"/> No <input type="checkbox"/> Don't Know (If "don't know," skip to question 14.)				
12	Name shown on the most recent Social Security card issued for the person listed in item 1		First	Full Middle Name	Last
13	Enter any different date of birth if used on an earlier application for a card			MM/DD/YYYY	
14	TODAY'S DATE MM/DD/YYYY		15	DAYTIME PHONE NUMBER Area Code Number	
16	MAILING ADDRESS (Do Not Abbreviate)		Street Address, Apt. No., PO Box, Rural Route No. City State/Foreign Country ZIP Code		
17	I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best to my knowledge.				
	YOUR SIGNATURE		18	YOUR RELATIONSHIP TO THE PERSON IN ITEM 1 IS: <input type="checkbox"/> Self <input type="checkbox"/> Natural Or Adoptive Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other Specify _____	
DO NOT WRITE BELOW THIS LINE (FOR SSA USE ONLY)					
NPN		DOC	NTI	CAN	ITV
PBC	EVI	EVA	EVC	PRA	NWR DNR UNIT
EVIDENCE SUBMITTED				SIGNATURE AND TITLE OF EMPLOYEE(S) REVIEWING EVIDENCE AND/OR CONDUCTING INTERVIEW	
				DATE	
				DCL DATE	

Relative Caregivers: CPS Involvement vs. No Involvement

The way in which you came to be caregivers of your relatives can affect the types of benefits for which you are eligible. Here are a few ways relatives become caregivers for their minor kin:

1. Parents voluntarily place children in relative care without any CPS involvement.
2. Parents voluntarily place children in relative care after a CPS case is opened, but before an abuse and neglect is filed.
3. Parents voluntarily place children in relative care, but CPS has filed an abuse and neglect proceedings against the parents anyway.
4. Children are removed from parents care by CPS and placed in relative care due to an abuse and neglect proceeding.

An **abuse and neglect proceeding** is a Court action initiated by the State of West Virginia and the Department of Health and Human Resources claiming that the parents have abused and/or neglected their children to the extent that the State has stepped in, taken physical and legal custody of the children, and has asked a Judge to determine whether the parents' parental rights should be terminated.

If no abuse and neglect proceeding is initiated, a relative may pursue guardianship or adoption and is not subject to the relative foster care requirements that result from those proceedings. However, those relatives are not eligible for the benefits that are provided by the DHHR to foster parents and children involved in abuse and neglect proceedings.

Portions of this booklet are related to what happens when you are providing care for relatives who have been removed from their parents' home due to abuse and neglect. However, frequently relatives are providing care for minor kin without any CPS involvement. The following chart is designed to show what the different requirements and benefits are for relatives providing care without CPS involvement (Non-Abuse and Neglect Placement) and relatives providing care for children with CPS involvement (Abuse and Neglect Placement).

LEGAL INFORMATION

Requirements/Benefits	Non-Abuse and Neglect Placement	Abuse and Neglect Placement
Provide basic necessities	Yes	Yes
Submit to a Background Check	No	Yes
Home Safety Requirements (beyond minimum safety requirements)	No	Yes
Minimum bedroom Requirements	No	Yes
PRIDE Class Training	No	Yes
WV WORKS Kinship Relative Care Check (\$288 per month for the 1 st child, with a small increase for each addit'l child up to a max of \$559)	Yes	Yes (until home study is completed and family qualifies for Foster Parent Subsidy)
Foster Parent Subsidy (\$600 per month, per child)	No	Yes
Medicaid for the children	Yes	Yes
Clothing Voucher	Yes	Yes
Clothing Subsidy (onetime payment of \$300.00)	No	Yes
Child Care Assistance	Yes	Yes
Mileage for taking children to doc. appts and family visits	No	Yes
Legal Assistance Subsidy (\$2,000 to assist with the costs of filing for adoption or guardianship of the child)	No	Yes

Benefits Available for Kinship Relative Care Providers

Kinship Relative Care Providers are individuals who are providing care for blood-related children up to the 5th degree, including those related by marriage. The most common Kinship/Relative Caregiver situation is a grandparent providing care for a grandchild.

WV WORKS Relative Caretaker Benefits – These benefits are available regardless of income

Provider: West Virginia Department of Health and Human Resources

Benefits for Child:

- **Cash Assistance**

1 child: \$288	4 children: \$422	7 children: \$547
2 children: \$331	5 children: \$462	Max: \$559
3 children: \$374	6 children: \$506	
- **School Clothing Voucher**
- **Medical Card for the Children**
- **Support Services – possible benefits with approval and exhaustion of all other avenues of assistance**
 - **Child Care Assistance**
 - **Clothing Assistance**
 - **WV WORKS donated vehicle program** (based upon limited availability)
 - **Vehicle Repair**
 - **Vehicle Insurance**
 - **Driver's license and State ID fees for the caregiver or the children**
 - **Collateral Payments**
 - **Higher Education Entrance Exam and Application Fees**
 - **Tutoring Costs**
 - **Graduation Cap and Gown**
 - **Extracurricular Activity Fees**
 - **Diapers, Wipes, and Formula**
 - **Other costs associated with the child's needs**

Check with your local DHHR as other benefits such as SNAP (Food Stamps) may be available to relative caregivers if you are low-income and meet financial guidelines.

Benefits Available for Foster Parents

Foster Parents are individuals who are certified caregivers for children who are in the legal custody of the West Virginia Department of Health and Human Resources. Some relatives become certified foster parents of the children in their care. It is important to note that to be a foster parent to the relatives in your care, the children must have been in the legal custody of the WV DHHR and placed in your care. If the parents placed the children in your care voluntarily and no abuse and neglect proceeding has been initiated, then you cannot qualify as a foster parent.

Three Types of Foster Parents:

- 1. Foster Parents** – Non-relative individuals who open their homes to foster children without the intention to adopt
- 2. Foster-to-Adopt** – Non-relative individuals who open their homes to foster children with the intention of adopting a child
- 3. Kinship-Relative Placement** – Relatives who open their homes to their kin who are in DHHR custody with the intention of fostering or adopting.

Requirements to be a Foster Parent:

1. You must be 21 or older
2. You need a stable and secure income
3. You should be in relatively good physical and mental health
4. Your home will need to pass a safety inspection
5. You cannot have child abuse reports or a criminal background
6. You must have a stable family relationship
7. You must have the ability to commit to a child

To be certified as a Foster Parent:

1. You must complete a home study, which includes a background check
2. You must complete PRIDE training

Benefits Available to Foster Parents and Foster Children:

- \$600 per month subsidy once home study and PRIDE training are complete
- Medical Card
- Child Care Assistance
- Mileage Reimbursement
- Up to \$2,000 reimbursement for legal expenses related to adoption/guardianship
- WIC (baby formula and food assistance)
- WV Birth to Three Services

Child Abuse and Neglect Under West Virginia Law

The following is an explanation of child abuse and neglect laws, and the proceedings that occur as a result of a parent abusing and/or neglecting his or her child.

1. What is child abuse under West Virginia law?

Child abuse means that a child's health and well-being is being harmed or threatened. Under West Virginia law (W.Va. Code § 49-1-201), a child's health and well-being can be threatened in a few ways:

- Actual or attempted intentional infliction of physical or mental injury upon the child or any child in the home;
- Sexual abuse or exploitation of the child;
- The sale or attempted sale of the child; or
- Domestic violence.

2. What is neglect under West Virginia law?

Neglect means that a child's physical or mental health is harmed or threatened by a parent's failure, refusal, or inability to provide:

- Food;
- Clothing;
- Shelter;
- Supervision;
- Medical care; or
- Education.

Neglect can also be a result of the child being without these basic necessities because of the absence of the parent (W.Va. Code § 49-1-201).

3. Who investigates child abuse and neglect in West Virginia?

In West Virginia, Child Protective Services (CPS), which is under the Department of Health and Human Resources (DHHR), investigates possible child abuse and neglect.

4. How are abuse and neglect cases handled in court?

Circuit Court Judges are the judges in West Virginia that hear child abuse and neglect cases. If a Family Court Judge learns about possible abuse and neglect, the Family Court Judge must make a referral to the Department of Health and Human Resources (DHHR) to investigate. If DHHR finds that there is abuse and neglect, the DHHR will work with the Prosecuting Attorney's office to initiate an abuse and neglect proceeding against the abuser(s) in the Circuit Court of the County where the child resides.

5. How can you report suspected child abuse and neglect?

Call the Department of Health and Human Resources Centralized Intake for Abuse and Neglect at 1-800-352-6513. This hotline is open 24 hours a day, 7 days a week. The names of people who call to report are kept confidential. You can also report child abuse and neglect to your local police department.

6. When can CPS remove children from the home?

If Child Protective Services (CPS) believes a child is in danger, CPS may take emergency custody of the child before an emergency abuse and neglect petition is filed with a court. CPS must then immediately go to a Circuit Court judge or Magistrate Court judge and ask for an order for emergency custody. If CPS receives this order, CPS must file an abuse and neglect petition within 48 hours.

7. What is a petition?

A petition is a legal document that describes the abuse and neglect that supposedly took place. Usually the process begins when the County Prosecuting Attorney files an abuse and neglect petition in Circuit Court on behalf of the

Department of Health and Human Resources (DHHR). However, if DHHR or the prosecutor refuses to file an abuse and neglect petition, any person who believes abuse and neglect took place can file a petition in Circuit Court.

8. Who is the respondent in an abuse and neglect case?

The respondent in the abuse and neglect case is the adult who is alleged to have abused or neglected the child. If only one parent is alleged to have abused the child, the other parent can be a respondent if they knew about the abuse and could have stopped it. A parent who is not at fault for abuse and neglect may be given the opportunity to co-petition with the DHHR or be required to participate in the abuse and neglect proceedings as a non-offending parent or interested party.

9. What is an initial order?

The initial order from the Circuit Court Judge in an abuse and neglect case may give temporary custody of the child to the Department of Health and Human Resources. It will also appoint lawyers for the parents and any other person who may have custodial responsibility. The children involved in the case will be appointed an attorney called a

guardian ad litem. Sometimes a CASA or Court Appointed Special Advocate is appointed to look out for the child's best interests and to help them understand the Court process.

10. Who can be in the courtroom during abuse and neglect proceedings?

Abuse and neglect cases are closed, confidential hearings. This means the hearing is not open to the public. Generally, the court will not let others in the courtroom and will not give them information about what happened in a hearing.

The only people allowed into the courtroom are:

- The judge
- A court reporter
- A bailiff
- The prosecuting attorney
- The representative(s) from DHHR
- The guardian ad litem (attorney for the children)
- CASA advocates
- The parent(s) and their attorney(s)
- Relatives, potential foster or adoptive families and their attorneys may attend, but only if the court has allowed them to intervene in the case.

11. What is a GAL (guardian ad litem)?

Guardian ad litem, often referred to as a GAL, is a lawyer who represents the child and the child's best interests. The GAL will represent the child in Court and MDT meetings. The GAL will investigate the case, make home visits, and interview witnesses. The GAL will send a written report to the Judge with recommendations for the child's best interest.

12. What is a preliminary hearing?

During a preliminary hearing, the judge decides if the child needs to be removed from the home. If emergency custody was ordered before the preliminary hearing, the judge will decide if it should continue. It is not unusual for the parents to waive their preliminary hearing to move to the next stages of the abuse and neglect process.

13. What is an improvement period?

An improvement period is a period of time the judge gives the respondent(s) to correct issues relating to the abuse and neglect in an attempt to avoid having their parental rights terminated. There are two types of improvement periods, pre-adjudicatory improvement periods and post-adjudicatory improvement periods. To get an improvement period, the respondent must admit there is a problem and make efforts to

correct the problem. The DHHR will develop a family case plan if the respondent gets an improvement period. During this time, the DHHR offers helpful services to the respondent(s) and reports back to the Court and the Multidisciplinary Team (MDT) about the respondent(s) progress during the improvement period. If a respondent does not follow the requirements of the improvement period, the improvement period can be terminated, and the case is moved on to adjudication or disposition.

Typical rules for an improvement period can be:

- Being financially stable;
- Having a stable place to live;
- Having a psychological evaluation and following what is recommended;
- Getting treatment for drug or alcohol abuse;
- Staying drug or alcohol free;
- Submit to random drug and/or alcohol screenings
- Going to parenting classes;
- Going to supervised or unsupervised visits with the child; and
- Going to MDT meetings.

14. What is an MDT?

MDT stands for multidisciplinary team. The MDT holds regular meeting to develop, carry out, and monitor a service plan for the family to correct the problems that led to abuse and neglect. The MDT also sends written reports to the judge. The MDT should meet at least once every 3 months until the Judge decides where the child should be permanently placed.

15. Who goes to an MDT?

Each county handles their MDT meetings differently, but the teams generally consist of the following individuals:

- The DHHR case worker;
- The prosecuting attorney;
- The adult respondents (typically the child's parents or guardians);
- Any co-petitioner;
- The lawyers for the respondents;
- The Guardian Ad Litem (children's lawyer)
- The CASA;
- Anyone who is providing services to the respondents to help them deal with the issues that led to abuse and neglect;
- Appropriate school officials;
- The foster parents or custodial relatives (and their lawyers); and
- The child (if old enough and appropriate).

16. What is a family case plan?

DHHR staff prepare a family case plan with the help of the lawyers and the MDT. The case plan lists changes that must happen and services that will be provided to the family to help correct the problems. The case plan also includes a description of how the respondents must change their behavior. The long term or permanency plan for the child is also included. The overall goal of the abuse and neglect process is to correct problems so the family can be reunified, or if that is not possible, to find a safe and loving place for the child to grow up.

17. What is an adjudicatory hearing?

At the adjudicatory hearing, the prosecutor, the respondents' lawyers, and the child's lawyers present evidence to support or to defend against the abuse and neglect claims set forth in the petition. The judge decides at the end of the hearing if the child is abused and neglected. Sometimes the respondents will waive the adjudicatory hearing and admit some or all of the allegations in the petition in order to begin an improvement period to correct the conditions that lead to the abuse and neglect proceeding. Parental rights are not terminated during the adjudicatory hearing.

18. What is a dispositional hearing?

At the dispositional hearing, the Judge will decide whether the parents' rights will be terminated or whether the family will be reunified. During this hearing, the judge must choose the least restrictive action that is in the best interests of the child. The Judge may dismiss the petition if the judge feels it is safe to reunite the family. The judge may terminate the parents' rights if the evidence shows that there is no reasonable likelihood that respondents can change the issues that led to the abuse and neglect and returning the child to the home is not in the child's best interests. If a parent's rights are terminated, the person no longer has legal status as the child's parent. During this hearing parents may also choose to voluntarily relinquish his or her parental rights rather than having those rights terminated. Voluntarily relinquishing parental rights terminates the rights to the immediate child but allows the parent to maintain parental rights to other children.

19. What is a permanency hearing?

A permanency hearing is held to determine what the permanent placement plan will be for children when parental rights have been terminated. The goal of the permanency hearing is to place the child in the most family-like home possible. There is a preference for children to be adopted by foster parents or kinship relatives, as well as a preference to keep siblings together in the same home. A permanency hearing may be held every 12 months until the permanency plan is completed.

A Guide to Relative Intervention in Abuse and Neglect Proceedings:

When the DHHR takes custody of children due to abuse and neglect by the parents, the caseworker must search for possible relatives who are interested in taking the child and would be a good, safe placement. There is a preference to place children with a fit and proper grandparent. If no fit and proper grandparent or other relative is available, the children will be placed in a foster home. The following are answers to frequently asked questions:

1. Will my relatives automatically be placed with me if they are removed from their parents?

No. The DHHR will reach out to known grandparents and other relatives to inquire about placement. Sometimes grandparents and other relatives are not considered because the children's parent(s) have indicated that the relative is not willing, able or appropriate to provide care for the child. If you learn of an abuse and neglect action and would like to be considered for placement of your relatives, it is important for you to contact the DHHR as soon as possible to let them know that you are interested in being considered for placement. (See Page 45 for a directory of the local DHHR offices)

2. What happens once the DHHR is aware that I am willing and able to provide care for my grandchildren?

The DHHR may place the child with you on a temporary basis pending the completion of a home study, or the DHHR may place the child with a foster family pending your completion of a home study. It is important that you maintain contact with the DHHR during this process.

3. As a relative, do I have the same requirements as a Foster Parent?

Yes. If you are a relative who wants custody of a child, you will be required to complete a home study and complete foster parent training known as Parent Resources for Information, Development, and Education, or PRIDE classes. The home study involves a background check and a safety check of your home. If you pass the home study and complete the PRIDE training, the DHHR will certify you as a foster parent and you can get financial help in caring for the child.

4. Under what circumstances might I be denied placement of my relative?

You will likely be denied placement of your relative if any of the following apply:

- You have a history of substantiated abuse and neglect allegations against you;
- You have lost parental rights to your own children in the past;
- You have to register as a sex offender;
- You have a criminal history, particularly of crimes involving sexual abuse or physical violence;
- You have a drug or alcohol problem;
- Your home does not meet the safety standards required by the DHHR and you are unable to make repairs to meet those standards.

5. Do Grandparents have any rights in abuse and neglect proceedings?

Grandparents have the following rights:

- **Placement of the child, if appropriate** - WV Code provides that the DHHR shall first consider the suitability and willingness of any known grandparent or grandparents to adopt the child. Once any such grandparents who are interested in adopting the child have been identified, the DHHR shall conduct a home study evaluation, including home visits and individual interviews by a licensed social worker. If the DHHR determines, based on the home study evaluation, that the grandparents would be suitable adoptive parents, it shall ensure that the grandparents are offered the placement of the child prior to the consideration of any other prospective adoptive parents.
- **Notice** - *If you had physical custody of the children prior to the filing of the abuse and neglect proceeding*, you have the right to be served with a copy of the petition and have an opportunity to be heard.
- **A meaningful opportunity to be heard** – *If you had physical custody of the children prior to the filing of the abuse and neglect proceeding*, you are entitled to a meaningful opportunity to be heard at the hearings in the abuse and neglect proceeding.

6. How can relatives get involved in abuse and neglect cases in court?

Abuse and Neglect cases are confidential. Relatives are generally not included in these hearings unless the judge specifically allows it. You can file a Motion to Intervene and ask the Court to include you in the hearings. The Court may accept or deny your motion. This often depends on what your role has been in the child's life, how far along the case has progressed, and other factors relating to the child's best interests.

7. Do I need an attorney if my relatives are involved in an abuse and neglect proceeding?

You should always take the opportunity to consult with an attorney if one is available to you. You will likely need an attorney in the following situations:

- You are being denied placement of your relatives, despite having an appropriate home, and being a fit and able person to provide care for them
- You had physical custody of your relatives at the time the abuse and neglect action was filed and you received no notice of the petition and hearing, nor were you given the opportunity to be heard
- Your relative has been placed in foster care and the DHHR is unwilling to complete a home study for you

8. How can I find an attorney to help me in an abuse and neglect proceeding?

If you are a participant in the WV WORKS program or a recipient of the WV WORKS Kinship Relative Care Check, you should ask your WV WORKS caseworker for a referral to Legal Aid of West Virginia. If you do not participate in or receive benefits from WV WORKS, you may apply for Legal Aid by calling the intake line at 1-866-255-4370 or apply online at www.lawv.net.

If you do not qualify for Legal Aid or if you wish to hire a private attorney, you may use the WV State Bar Lawyer Referral Service to help you find an attorney by visiting: <https://wvlawyerreferral.org/>. If you just have questions and need legal information, you can call Tuesday Legal Connect on Tuesday evenings from 6:00 p.m. until 8:00 p.m. by calling **1-800-642-3617**.

Tips if your grandchildren or other minor relatives are involved in an abuse and neglect proceeding:

- **Be proactive and cooperative:**
 - Reach out to the local DHHR and make it known that you are willing and able to provide a home for the child. (See page 45 for the DHHR directory)
 - Cooperate with the DHHR to do a home study of your house.
 - Take the Parent Resources for Information, Development, and Education (PRIDE) classes to become a foster parent. Talk to the DHHR worker to sign up for these classes.
- **Be understanding:**
 - Local DHHRs are often understaffed and workers are overworked. The caseworker on your case may be busy handling many cases for other abused children. It may seem that they do not want you to have the child. Do not be discouraged. Continue to follow-through and complete all the steps that they ask of you.
- **Be patient but persistent:**
 - These cases sometimes have lengthy delays. You must be “patient but persistent.” Keep in touch with the worker. Ask the worker if there is anything else you need to do. If not, be patient but keep in regular contact with the worker as the case unfolds.

Stabilizing Custody for Relatives in Your Care

Taking legal action to establish some type of custody, whether it be guardianship or adoption, can provide stability for your minor relatives and can assist you in having the legal right to make decisions for and seek services on behalf of the children in your care. The following is a discussion of the two main types of legal action relatives may take to secure custody:

Infant Guardianship

1. What is an infant guardianship under West Virginia law?

An infant guardianship is when someone other than a child's birth parent asks a Judge to give them custody of the child. Infant guardianships are often referred to as just a guardianship. A guardianship gives the guardian the rights and responsibilities of a parent, without terminating the parents' rights. The guardian is responsible for the child's well-being, protection, and education. A guardianship will usually remain in place until someone asks the Judge to terminate it or until the child turns 18.

2. What is the difference between a guardianship and adoption?

Adoption, unlike guardianship, terminates the parents' rights and creates a new parent-child relationship between the child and the adopting parent. An adopted child gets a new birth certificate with their adoptive parents listed on it. Other differences are:

How long it lasts: Adoptions cannot be undone. They are permanent. Guardianships can last a long time, but they can be terminated by the Judge later if the reasons that led to the guardianship are fixed. For example, if a child's parents have received drug treatment, a Judge may set aside the guardianship and return the rights to the parents.

Where you file: In West Virginia, you can ask for an infant guardianship in Family Court or in Circuit Court. You can only ask for adoptions in Circuit Court.

When you should file: You can file for a guardianship at any time. If you want custody of a child who does not live with you because you believe the child is not safe, you can ask for a guardianship immediately. Adoptions can only be filed after the child has lived with you for a period of six months or more. You may want to file for a guardianship while an adoption is pending.

3. Who can become a guardian?

A child's biological parents are his or her guardians. When parents are unable or unwilling to take care of the child, a Judge may appoint someone else to be the child's guardian to look out for the child. Any person who has a relationship with the child and who is concerned for the child's well-being can file a petition with the Judge to be appointed as guardian of a child. The Judge cannot appoint a parent or other person whose rights have been terminated. A guardianship will not be put in place if the custody of the child is an issue in another court case.

4. How do I become a guardian?

You must file a petition in either Family Court or Circuit Court. The Judge will look at the facts and decide whether to appoint you as the child's guardian.

5. When will the court appoint a guardian for the child?

The Judge may appoint a guardian for a child if the court finds that it is in the child's best interest and either:

- The parents agree;
- The parents' rights have been terminated;
- The parents are unwilling or unable to exercise their rights (for example, when the parent is in prison);
- If the parents have abandoned the child for more than six months; or
- If there are rare circumstances that would result in serious problems for the child.

6. What is abandonment?

Abandonment is when the birth parent fails to provide care for his or her child. West Virginia law says that a parent has legally abandoned a child, if, for the past six months:

- The parent knows where the child lives; **and**
- The parent has not financially supported the child; **and**
- The parent does not visit or communicate with the child.

7. Do the child's parents have to agree to a guardianship?

No. One way to get a guardianship is to have the parents agree to the appointment of another guardian. This is called consent. If the parents will agree to the guardianship, it is best to get this in writing. If the parents do not consent, the Judge can still appoint a guardian for the child if there is cause to grant the guardianship over the parents' objections.

8. Are guardianships permanent?

No. A guardianship is not permanent because the guardianship can be removed by the Judge. However, a guardianship can last for a long time, even until a child turns 18.

Guardianships can also be as little as six months, if the Judge believes that such a short time is all that is necessary to keep the child safe and serve the child's best interests.

9. Does a guardianship mean that the child's parents lose their rights?

No. Guardianship does not end a parent's rights to the child forever. Instead, legal guardianship allows someone else to make decisions regarding the child's care and well-being during the guardianship.

10. Do I have to be a foster parent to get a guardianship?

No. You do not have to be a foster parent to file for guardianship.

11. Can a parent have a guardianship removed?

Yes. Parents can ask the Judge to remove a guardianship. The parent must show the Judge that there has been a significant change in their circumstances and that removing the guardianship is in the best interests of the child.

12. Can I receive financial benefits to help take care of the child?

Yes. While a guardian assumes financial responsibility for the child during the guardianship, there is some assistance available. Guardians may receive cash assistance for the children from the DHHR through WV WORKS, known as a Kinship Relative Caretaker Check. The children will also qualify for Medicaid and a clothing voucher. Guardians who are low income may qualify for other assistance provided by the DHHR such as SNAP (food stamps) and child care assistance. See page 14 for information on benefits available.

13. Can I represent myself in an infant guardianship case?

Yes. The Supreme Court of Appeals of West Virginia has forms online that you can use to file a petition for a guardianship, available at <http://www.courtswv.gov/lower-courts/infant-guardianship/index-infant-guardian.html>.

You can also pick up the guardianship forms at your local Legal Aid office at no cost.

If you can, you should always try to discuss legal guardianship with a lawyer to understand your choices and your rights. If you are a participant in the WV WORKS program or a recipient of the WV WORKS Kinship Relative Care Check, you should ask your WV WORKS caseworker for a referral to Legal Aid of West Virginia. If you do not participate in or receive benefits from WV WORKS, you may apply for Legal Aid by calling their intake line at 1-866-255-4370 or apply online at www.lawv.net. If you do not qualify for Legal Aid or if you wish to hire a private attorney, you may use the WV State Bar Lawyer Referral Service to help you find an attorney by visiting: <https://wvlawyerreferral.org/>.

If you just have questions and need legal information, you can call Tuesday Legal Connect on Tuesday evenings from 6:00 p.m. until 8:00 p.m. by calling **1-800-642-3617**.

Adoption

1. What does adoption mean under West Virginia law?

Adoption is when someone other than the birth parents asks a Judge to give them all the legal rights and responsibilities to a child that a parent would have. In West Virginia, you file for adoption in Circuit Court. Adoption terminates the biological parents' rights to a child and creates a new parent-child relationship between the adopting parent and the child.

2. What are the differences between adoption and guardianship?

How long it lasts: Adoptions are permanent, while guardianships only last until the child turns 18 or someone petitions the Court to terminate the guardianship.

Where you file: In West Virginia, you can ask for guardianship in Family Court or Circuit Court. You can only ask to adopt a child in Circuit Court.

When should you file: An adoption can only be granted after a child has resided with you for a period of six months or more. A guardianship can be filed at any time, even if the child has not resided with you.

3. How do I begin an adoption?

You file a petition for adoption with the Circuit Clerk in the county where you live. You need to send a copy of your petition to the child's birth mother and anyone who claims to be the father (unless a Judge terminated both birth parents' rights in an abuse and neglect case). You also need to send a copy any other person who claims legal or physical custody of the child.

After you file the adoption paperwork, the Circuit Judge will schedule a hearing no sooner than 45 days from the date of the filing of the Petition.

4. Under what circumstances can an adoption be granted?

An adoption can be granted if both parents consent to the adoption; one parent consents and the following applies to the other parent; or neither parent consents, but the following applies to both parents:

1. The birth parent's parental rights have been terminated by a Judge; **OR**
2. The birth parent has abandoned the child; **OR**
3. The birth parent is deceased.

5. What is abandonment?

Abandonment is when a birth parent has demonstrated a settled purpose to forego all duties and relinquish all parental claims to a child. This means that the parents have left the child in another person's care and have failed to communicate with or support that child for a period of six months or more.

West Virginia law says that:

A parent has legally abandoned a child over six months old if that parent knows where that child lives and, for six months or longer:

1. Does not support the child financially and
2. Does not visit or stay in touch with the child.

A father has legally abandoned a baby under six months old if the father says he is not the father and he does not support the child financially or stay in touch with the child.

A Judge can terminate a parent's parental rights if he or she has abandoned a child for a period of more than six months, and an adoption can then be granted.

6. What if it is not the birth parent's fault that they cannot support the child or stay in touch with the child?

If a birth parent's lack of contact or support is not voluntary, then the Court will not find that the parent has abandoned the child. For example, if the persons wishing to adopt the children withheld their contact information from the parents; or if the parent is prevented from supporting or contacting the child due to disability or incarceration, the Court will likely not find that the parent has abandoned the child. If one or both parents refuse to consent to the adoption and have not abandoned the child, the adoption will not be granted.

7. What is consent?

When birth parents freely agree to an adoption, they are giving "consent." For an adoption to go forward, West Virginia law requires that both the birth mother and father consent to the adoption unless a Judge cut off their rights or they abandoned the child. If a Judge cut off the rights of one parent or one parent abandoned the child, then only the other parent needs to consent.

8. Does consent to an adoption need to be in writing?

For consent to be legal, the parent must give the consent in writing and sign and date the written consent in front of a notary public. The following things must be listed on a birth parent consent:

- The birth parent's current address;
- The name, date of birth, and current address of the child;
- That the birth parent allows the adoptive parent to make decisions about the child's medical treatment;
- That the adoption terminates the birth parent's rights forever;
- Whether the child is from a Native American Indian tribe; and
- Whether the child owns any property.

The Circuit Court Judge may agree to an adoption without written consent if the birth parent comes in person to the adoption hearing and gives consent in front of the Judge.

9. What if the birth father is unknown?

If the birth mother is not sure who the birth father is, she will need to file a document called an "affidavit" with the court. The affidavit should state:

- Whether the birth mother was married or living with a man at the time she got pregnant;
- Whether any man gave the birth mother money to support the child or for pregnancy costs;
- Whether the birth mother listed a father on the birth certificate or told anyone at the hospital where she gave birth the name of a father;
- Whether the birth mother listed a father when she applied for public assistance;
- Whether the birth mother told any man that he may be the birth father; and
- Whether any man, anywhere, has claimed to be the father.

The affidavit should also state:

- The last known address of any man listed above;
- That the mother understands that if she does not name a birth father, it can delay an adoption; and
- That the birth mother understands that the fathers identify will be used only for adoption.

If the birth mother states in an affidavit that she is unsure who the father is, the Judge will review the information and decide if the unknown father is likely to be identified. If the Judge can identify a likely father, the Judge will notify the father of the adoption hearings. If the Judge cannot identify a likely father, then the Judge may publish notice of the final adoption hearing in a local newspaper.

10. Does a child have to agree to an adoption?

Children under the age of 12 do not have to agree to an adoption. If a child is under the age of 12, the Court can order the adoption based on the child's best interests, even if the child does not want it. If a child who is being adopted is over the age of 12, he or she usually needs to agree to the adoption in front of the Judge. The Judge can ignore the wishes of a child 12 or older if the Judge believes the adoption is in the child's best interest.

11. Do I have to be screened to adopt a child?

You will have to testify that you can financially support the child and that you are of good moral character, meaning that you don't have any significant criminal history. The Judge may also ask the Department of Health and Human Resources (DHHR) or an agency to do a "home study" of where you live. Home studies help the Judge decide if your home is safe for the child. Once social workers from DHHR or another agency visit, they will report to the Judge. Sometimes the Judge does not require a home study if the children have been staying with the adoptive parents for some time.

12. What are the legal effects of an adoption?

When the Judge enters the final adoption order, the order terminates the birth parents' legal rights and duties. The adoptive parents take on all the legal and financial rights and duties of the parents.

13. Can I receive any tax benefits for adopting a child?

If you adopt a child, you can claim that child as a tax dependent, just as you would a biological child. There are also adoption tax credits that you can take advantage of. You should consult with a tax professional to find out what tax benefits there are when adopting a child.

14. Are there benefits I will gain or lose if I adopt a child?

If you get a WV WORKS Relative Caretaker check from DHHR, you will lose that check and the associated benefits if you adopt the child. If you get a Social Security Disability check or Veterans' Benefits, your adopted child will qualify for any benefits that a natural born child would be entitled to.

15. Can I represent myself in an adoption hearing?

While there is nothing to prevent a person from representing themselves in an adoption, it would be very difficult to do so. The Supreme Court of Appeals of West Virginia does not have forms you can fill out for adoption. You will probably need a lawyer to at least help you complete the forms or give you the information you need for the forms you file.



LEGAL INFORMATION

If you are a participant in the WV WORKS program or a recipient of the WV WORKS Kinship Relative Care Check, you should ask your WV WORKS caseworker for a referral to Legal Aid of West Virginia. If you do not participate in or receive benefits from WV WORKS, you may apply for Legal Aid by calling the intake line at 1-866-255-4370 or apply online at www.lawv.net. If you do not qualify for Legal Aid or if you wish to hire a private attorney, you may use the WV State Bar Lawyer Referral Service to help you find an attorney by visiting: <https://wvlawyerreferral.org/>. If you just have questions and need legal information, you can call Tuesday Legal Connect on Tuesday evenings from 6:00 p.m. until 8:00 p.m. by calling **1-800-642-3617**.

Grandparent Visitation Rights

1. Do grandparents have legal rights to visits with their grandchildren in West Virginia?

West Virginia law protects a grandparent's right to visit with a grandchild in some situations. At the same time, West Virginia law also protects the parent-child relationship from interference by grandparents.

The Legislature passed a specific West Virginia statute about grandparent visitation. This law defines when and how grandparents may seek a court order forcing a parent to permit the grandparent to spend time with the grandchild. The West Virginia Supreme Court has been emphatic that this law is the “exclusive means through which a grandparent may seek visitation with a grandchild.”

2. What should I do if I want to have visitation with my grandchild?

First, talk to the child's parents. Tell them you want to see your grandchild. Try to reach an agreement. It is always best to try to resolve the issue with the parents instead of asking for court-ordered visitation.

3. In West Virginia, is a grandparent permitted to seek court-ordered visitation with a grandchild?

Yes. Under West Virginia law, a court should grant “reasonable” visitation to a grandparent when two general conditions are met:

- Visitation would be in the best interests of the child, and
- Visitation would not substantially interfere with the parent-child relationship.

For example, grandparent visitation may be awarded when the parent through whom the grandparent is related has passed away, is deployed in the military, is incarcerated, is unable to be located, or is otherwise unavailable to allow access to the grandchild.

In making decisions about grandparent visitation, however, courts must give “significant weight” to the wishes of the fit parent. The decision is not based ONLY on the “best interests of the child.” The courts must also recognize that the US Constitution protects the right of a fit parent to make decisions regarding the care, custody and control of his or her children, including decisions related to when a grandparent should see his or her child.

4. What if my own son or daughter will not let me visit with my grandchild during his parenting time? Or if I want to visit with the grandchild more than my own son or daughter lets me?

You will not likely be successful in seeking grandparent visitation. If your own child has custody or visitation, the law presumes that no order of grandparent visitation should be issued. The assumption is that you can see the grandchildren when they are with your son or daughter.

To overcome the objection of your own child, the law requires you to present a very strong case. You must make a “clear and convincing” showing that visitation is in the child’s best interest. This will be particularly hard when the parent (your child) is a fit and proper parent but does not want you to see the grandchildren.

Here is how the two situations compare:

- If your own child is absent or unavailable to express his or her wishes about your visits, you must show that visitation is “probably” in the best interest of the child, even after the court gives special weight to the wishes of the parent.
- If your own child objects to your visits, you must show “clear and convincing” evidence that visitation is in the best interest of the child, even after the court gives special weight to the wishes of the parent. Not just “probably,” but “clear and convincing.” In the legal system this is a big difference.

5. How does the court figure out whether grandparent visitation is the in “best interests” of the child?

Always remember that the court will look at the best interests of the child and give special weight to the preferences of a fit and proper parent. These disputes are not decided according to what’s best for the grandparent. They are decided based on the best interests of the child.

The judge will consider a long list of factors to assess the best interests of the child. These include:

1. The child’s age;
2. The relationship between the child and the grandparent;
3. The relationship between the child’s parents and the grandparent;
4. The time since the child last had contact with the grandparent;
5. The effect grandparent visitation would have on the relationship between the child and the child’s parents;
6. Any custody and visitation arrangement that already exists between the parents with regard to the child;
7. The time available to the child and his or her parents, including the child’s school schedule, each parent’s work schedule, or the holiday and vacation schedules;
8. The good faith of the grandparent in filing the motion or petition;

9. Any history of physical, emotional, or sexual abuse or neglect performed, assisted or allowed by the grandparent;
10. Whether the child has lived with the grandparent for a significant period, with or without the child's parent or parents;
11. Whether the grandparent has been a significant caretaker for the child;
12. The preference of the parents with regard to the requested visitation. The court must give "special weight" to this factor, assuming the parent is fit and capable; and
13. Any other factor which the Court might think is relevant to the best interests of the child.

6. Under the law, who qualifies as a "grandparent" who can file for visitation?

A "grandparent" is defined as any of the following:

- any biological grandparent; **or**
- a person married to a biological grandparent; **or**
- any person granted custody of the grandchild's biological parent.

7. Who can seek grandparent visitation?

If the grandchild is living in West Virginia, any grandparent of that child can ask for court-ordered visitation. The grandparent does not have to live in West Virginia. If the grandchild does not live in West Virginia, no grandparent visitation case can be filed in West Virginia.

8. Where do I file for visitation?

You must file your petition in the Family Court in the county where the child lives. This may not necessarily be where the grandparent lives. However, if there is already an abuse and neglect case in circuit court involving the grandchild, you must file your request for visitation in that action in circuit court.

If the child's parents already are going through a custody or divorce case in Family Court, you must file to intervene in that pending Family Court case for a grandparent visitation order.

9. Can a court take away a grandparent's rights?

Yes, if it is proven that the grandparent violated the rules and conditions of the court-ordered visitation.

Resources for Relative Caregivers

Public Benefits

- Apply for food, medical and health care assistance at your local DHHR. (See page 45 for the DHHR location in your county)
- Apply for assistance with formula and food for the baby or toddler in your care through the Special Supplemental Nutrition Program for Women, Infants and Children, known as WIC, at your local WIC office. Children receiving a WV Medical Card automatically qualify for WIC regardless of household income. (See page 49 for the WIC office in your area)
- Apply for housing assistance at your local housing authority. (See page 53 for the Housing Authority in your area)
- Apply for child care assistance through the WV Child Care Resource and Referral Agencies (CCR&R). (See page 62 for the WV CCR&R agency in your area)

Services and Support

- **WV Birth to Three**
 - www.wvdhhr.org/birth23
 - Provides a system of services and supports for children under age three who have a delay in their development or may be at risk of having a delay.

- Grandparents may call to make a referral for their grandchildren. (See page 60 for the Birth to Three agency serving your county)
- **WV Autism Training Center**
 - Call 304-696-2840
 - www.marshall.edu/atc
 - The West Virginia Autism Training Center exists to support West Virginians diagnosed with Autism Spectrum Disorder as they pursue a life of quality.
- **Healthy Grandfamilies Program**
 - www.healthygrandfamilies.com
 - An 8-week series of workshops on topics such as navigating the school and legal systems, social media, and nutrition. The program provides support from a social worker and fellowship with other grandparents providing care to their grandchildren.
- **WV Relatives as Parent Program (WV RAPP)**
 - 1-866-CALL-MWV (1-866-225-5698)
 - www.missionwv.org
 - Provides information, assistance and training to relatives caring for children who are not their own.
- **WV Parents as Teachers Program**
 - www.parentsasteachers.org
 - Provides support and engagement of parents and grandparents to promote the optimal early development, learning and health of their children or grandchildren.

- See page 63 for a list of agencies that provide this program in your area.

Other Resources:

Consumer Protection Division - WV Attorney General's Office

- Call 1-800-368-8808
- Consumers who believe they are the victim of unlawful consumer practices can file a complaint with the **Consumer Protection Division**.

West Virginia Coalition Against Domestic Violence

- <http://www.wvcadv.org>
- National Domestic Violence Hotline: 1-800-799-SAFE
- Help and resources for victims of domestic violence.

West Virginia 211

- <http://www.wv211.org/> or dial 211
- A link to community resources in West Virginia.

Education Resources

• West Virginia Department of Education

- www.wvde.us
- Information for students about scholarships, credit recovery, and AP course fee waivers.
- Information for parents about assessment results, immunizations, and college readiness.

• College Foundation of West Virginia

- www.cfwv.com
- Resources for students and parents on college, career planning, financial aid, and more.

- **Pathways to the Future**
 - <http://www.pathwayswv.org>
 - Provides resources, tools, and contacts to help students with disabilities.
 - Includes information on planning for education, career, and independent living after high school.
- **WorkForce Innovation and Opportunity Act (WIOA) Youth Program**
 - <http://www.hrdfwv.org/wioa-youth-programs.html>
 - Helps low-income young adults achieve education goals.

Job Training and Preparation

- **Workforce West Virginia**
 - <http://workforcewv.org>
 - Can provide paid training in certain job fields, hosts job fairs, and provides an online portal for job searches.
- **Job Corps**
 - www.jobcorps.gov
 - Federally-funded program that provides academic and career training for students.
 - Available to young adults between 16 and 24 who meet eligibility requirements and guidelines.
- **YouthBuild**
 - <http://rchawv.org/youthbuild/youthbuild-3.html>

- Participants earn money while obtaining valuable experience building houses, with both classroom and on the job experience, during this 10-month program
- Out of school youth between 16 and 24 can apply
- **Employment for Independent Living**
 - <http://www.hrdfwv.org/employment-for-independent-living.html>
 - Helps youth, 16 to 21 who are aging out of foster care or turned 18 in state's custody, find employment and develop work skills

Legal Aid of West Virginia

Mission Statement: Legal Aid of West Virginia advocates for low-income, vulnerable West Virginians, seeks equal access to justice, and creates system change in order to improve client safety, health, housing, income and access to resources.

Programs

Legal Unit: Provides free legal information, advice and representation to qualifying individuals in a wide variety of civil matters, including family law, housing, public benefits, and expungements. Legal Aid of West Virginia does NOT handle criminal matters, personal injury, or medical malpractice cases.

Behavioral Health Unit: Provides support and advocacy to individuals and families dealing with mental or behavioral disorders. This unit includes the **FAST** program which provides support and advocacy for children who have a mental health co-occurring or co-existing diagnosis and who are struggling in or experiencing discrimination in school or early learning programs because of their mental health challenges.

Long-term and Eldercare (Ombudsman): Protects the rights of seniors and others living in long-term health care facilities.

How to Apply:

- Call: 1-866-255-4370
Hours: M, W-F – 8:30 a.m. – 3:00 p.m.
T – 8:30 a.m. – 12:30 p.m.; 6:00 p.m. – 8:00 p.m.
- Visit: www.lawv.net
- Ask your WV WORKS caseworker for a referral.
- If you are a victim of domestic violence, you may request a referral from your local domestic violence shelter.

Other Legal Resources in West Virginia

Legal Information by Phone:

Legal Aid's Law Line- 1-866-985-2948

Listen to recorded phone messages with information on common legal problems like divorce, custody, domestic violence, housing, DHHR benefits and how to represent yourself in court. Each message is 2-3 minutes. Available 24 hours a day, 7 days a week.

Legal Information Hotline:

Tuesday Legal Connect- 1-800-642-3617

On Tuesday evenings from 6 - 8 p.m., volunteer attorneys for the West Virginia State Bar answer phone calls to provide legal information and referrals. This information and the call are free.

Legal Information Online:

Legal Aid's Self-Help Library

www.lawv.net/resources/self-help-library

Legal Aid of West Virginia's Self-Help Library is a place where you can find information about civil legal problems, such as divorce, housing issues, bankruptcy, and more.

West Virginia Senior Legal Aid

<http://www.seniorlegalaid.net>

West Virginia Senior Legal Aid has legal Frequently Asked Questions on several topics, particularly focusing on issues faced by senior citizens age 60 and over.

Court Forms:

West Virginia Judiciary

<http://www.courtswv.gov/legal-community/court-forms.html>

The website for the West Virginia Supreme Court of Appeals has several forms available for persons to use and file on their own.

Legal Advice Website:

West Virginia Free Legal Answers

<http://wv.freelegalanswers.org>

West Virginia Free Legal Answers is a website where low-income persons can post legal questions and receive free brief advice from a volunteer attorney. To sign up go to <http://wv.freelegalanswers.org>, answer the eligibility questions, create an account and submit the legal question you need answered. West Virginia Free Legal Answers is a program of the West Virginia State Bar and American Bar Association.

Lawyer Referrals to Lawyers:

West Virginia Lawyer Referral Service

<http://www.wvlawyerreferral.org/>

The Lawyer Referral Service assists people in finding lawyers that are currently taking referrals in specific practice areas. Lawyers in West Virginia are not certified by the West Virginia State Bar in any specific areas of law, but they may have experience or interest in that specific area of practice. On this website, you can search for an attorney in your area. By signing up for this service, the attorney agrees to see you as a client for an initial consultation for a fee of no more than \$25 for the first 30 minutes of the consultation.

Apply for free legal help:

In addition to Legal Aid, there are organizations in West Virginia that provide free civil legal help if you qualify for their services. To apply for services, you will need to contact each organization.

- **Mountain State Justice - 1-800-319-7132**

If you qualify, provides free legal assistance to low-income consumers who are facing home foreclosure; were lied to in the process of

obtaining a loan; purchased a defective home or car; or have received unfair charges on loans or credit accounts. You can also contact Mountain State Justice if you would like to apply for free legal assistance if you are a prisoner or know a prisoner that is being unfairly or unsafely treated in a jail or correctional facility.

- **West Virginia Senior Legal Aid (WVSLA) - 1-800-229-5068**
If you qualify, provides free civil legal services for senior West Virginians age 60 and over. The person age 60 or over who needs legal help must be the one who actually calls WVSLA, not someone else calling on his or her behalf.

- **WVU College of Law Clinical Law Program - 1-304-293-7249**
If you qualify, provides free legal services to low-income persons, generally in north central West Virginia, in a number of areas including family law, social security, and other public benefits, property issues, consumer debt relief, bankruptcy, and immigration. The Clinic does not take new cases during holiday or summer breaks when law students are not in school.

DHHR County Directory

Barbour County

49 Mattaliano Drive
Philippi, WV 26416
304-457-9030

Berkeley County

433 Mid-Atlantic Park
Martinsburg, WV 25402
304-267-0100

Boone County

156 Resource Lane
Foster, WV 25081
304-369-7802

Braxton County

3708 Sutton Lane
Sutton, WV 26601
304-765-7344

Brooke County

100 Municipal Plaza,
Suite 600
Weirton, WV 26062
304-794-3060

Cabell County

2699 Park Avenue,
Suite 100
Huntington, WV 25704
304-528-5800

Calhoun County

85 Industrial Park Road
Grantsville, WV 26147
304-354-6118

Clay County

94 Main Street
Clay, WV 25043
304-587-4268

Doddridge County

22 Herbert Ave
Smithburg, WV 26436
304-873-2031

Fayette County

1400 Virginia Street
Oak Hill, WV 25901
304-465-9613

Gilmer County

1493 WV Hwy East
Glennville, WV 26351
304-462-0412

Grant County

53 Kiess Drive
Petersburg, WV 26847
304-257-4211

Greenbrier County

316 Maplewood Ave.,
Suite 3
Lewisburg, WV 24901
304-647-7476

Hampshire County

24954 Northwestern Pike
Romney, WV 26757
304-822-3060

Hancock County

100 Municipal Plaza,
Suite 600
Weirton, WV 26062
304-794-3060

Hardy County

149 Robert C. Byrd Industrial Park
Moorefield, WV 26836
304-538-2391

Harrison County

153 West Main St.,
Suite D
Clarksburg, WV 26330
304-627-2295

Jackson County

4285 Cedar Lakes Road
Ripley, WV 25271
304-373-2560

Jefferson County

239 Willow Spring Drive
Charles Town, WV 25414
304-724-2600

Kanawha County

4190 Washington Street
Charleston, WV 25313
304-746-2360

Lewis County

91 Arnold Avenue
Weston, WV 26452
304-269-6820

Lincoln County

8209 Court Avenue
Hamlin, WV 25523
304-824-5811

Logan County

130 Stratton Street
Logan, WV 25601
304-792-7095

Marion County

416 Adams Street
Fairmont, WV 26554
304-368-4420

Marshall County

400 Teletech Drive, Suite 2
Moundsville, WV 26041
304-843-4120

Mason County

1406 Kanawha Street
Point Pleasant, WV 25550
304-675-0880

McDowell County

840 Virginia Ave.
Welch, WV 24801
304-436-8302

Mercer County

350 Davis Street
Princeton, WV 24740
304-425-8738

Mineral County

18 N. Tornado Way
Keyser, WV 26726
304-788-4150

Mingo County

203 East Third Ave.
Williamson, WV 25661
304-235-4680

Monongalia County

114 S. High Street
Morgantown, WV 26507
304-285-3175

Monroe County

174 Route 3 East
Union, WV 24983
304-772-3013

Morgan County

62 Regal Court
Berkeley Springs, WV 25411
304-258-1350

Nicholas County

707 Professional Park Drive
Summersville, WV 26651
304-872-0803

Ohio County

69 16th Street
Wheeling, WV 26003
304-232-4411

Pendleton County

100 Thorn Creek Rd,
Suite 200
Franklin, WV 26807
304-358-2305

Pleasants County

1655 South Pleasants
Highway
St. Marys, WV 26170
304-684-9244

Pocahontas County

211 Vanhalla Lane
Marlinton, WV 24954
304-799-2540

Preston County

18351 Veteran's Memorial
Highway
Kingwood, WV 26537
304-329-4340

Putnam County

12531 Winfield Road
Winfield, WV 25213
304-586-1520

DIRECTORY

Raleigh County

407 Neville Street
Beckley, WV 25801
304-256-6930

Randolph County

1027 N. Randolph Ave.
Elkins, WV 26241
304-637-5560

Ritchie County

220 West Main Street
Harrisville, WV 26362
304-643-2934

Roane County

677 Ripley Road, Suite 3
Spencer, WV 25276
304-927-0956

Summers County

320 Summers Street,
Suite A
Hinton, WV 25951
304-466-2807

Taylor County

235 Barrett Street
Grafton, WV 26354
304-265-6103

Tucker County

9346 Seneca Trail
Parsons, WV 26287
304-478-3212

Tyler County

210 Main Street
Middlebourne, WV 26149
304-758-2127

Upshur County

34 Auction Lane
Buckhannon, WV 26201
304-473-4230

Wayne County

26452 East Lynn Road
Wayne, WV 25570
304-272-6311

Webster County

110 North Main St.,
Suite 201
Webster Springs, WV 26288
304-847-2861

Wetzel County

1236 North State Route 2
New Martinsville, WV 26155
304-455-0902

Wirt County

Court Street
Elizabeth, WV 25143
304-275-6551

Wood County

400 5th Street
Parkersburg, WV 26102

Wyoming County

1767 Bearhole Road
Pineville, WV 24874
304-732-6900

WIC Offices by County

Barbour County

23 Wabash Ave.
Philippi, WV 26416
304-457-3362

Berkeley County

109A Tavern Road
Martinsburg, WV 25401
304-267-5477

Boone County

213 Kenmore Drive
Danville, WV 25053
304-369-7967

Braxton County

537 Enterprise Drive
Gassaway, WV 26624
304-364-8778

Brooke County

192 Industrial Park Lane
Beech Bottom, WV 26030
304-394-5090

Cabell County

5187 Rt. 60 E., Suite 12
Huntington, WV 25705
304-302-2013

Calhoun County

186 Hospital Drive,
Building 2, Suite 3
Grantsville, WV 26147
304-354-6898

Clay County

452 Main St.
Clay, WV 25043
304-587-2323

Doddridge County

60 Pennsylvania St.
West Union, WV 26456
304-873-1173

Fayette County

1822 East Main St.
Oak Hill, WV 25901
304-465-5314

DIRECTORY

Gilmer County

212 East Main St.
Glennville, WV 26351
304-462-5750

Grant County

23 Hospital Drive
Petersburg, WV 26847
304-257-4936

Greenbrier County

170 Coleman Drive,
Suite 7
Lewisburg, WV 24901
304-647-7430

Hampshire County

24940 Northwestern Pike
Romney, WV 26757
304-822-5703

Hancock County

2619 Pennsylvania Ave.
Weirton, WV 26062
304-723-3153

Hardy County

712 N. Main St.
Moorefield, WV 26836
304-538-3382

Harrison County

103 East Main St.
Bridgeport, WV 26330
304-848-9680

Jackson County

600 S. Church St., Suite 2
Ripley, WV 25271
304-372-8525

Jefferson County

107 E. 4th Ave.
Ranson, WV 25438
304-725-2028

Kanawha County

4188 W. Washington St.
Charleston, WV 25313
304-746-7880

Cedar Grove location:

408 Alexander St.
Cedar Grove, WV 25039
304-595-3283

Lewis County

2 Brown Ave.
Weston, WV 26452
304-269-1318

Lincoln County

357 Walnut St.
Hamlin, WV 25523
304-824-4008

Logan County

102 Third St.
Logan, WV 25601
304-752-5400

Marion County

532 Pennsylvania Ave.
Fairmont, WV 26554
304-366-2387

Marshall County

500 Teletech Drive
Moundsville, WV 26041
304-845-1800

Mason County

701 22nd St.
Point Pleasant, WV 25550
304-675-5279

McDowell County

17 McDowell Street
Welch, WV 24801
304-436-6122

Mercer County

286 Blue Prince Road
Bluefield, WV 24701
304-325-3922

Mineral County

541 Harley O. Staggers Drive
Keyser, WV 26726
304-788-1683

Mingo County

114 Grace Street
Delbarton, WV 25670
304-475-2295

Monongalia County

1000 Elmer Prince Drive
Morgantown, WV 26505
304-598-5181

Monroe County

108 Back Valley Road
Lindside, WV 24951
304-753-5582

Morgan County

106 Sand Mine Road
Berkeley Springs, WV 25411
304-258-6074

Nicholas County

852 Northside Drive,
Suite 22
Summersville, WV 26651
304-872-0826

Ohio County

45 18th Street
Wheeling, WV 26003
304-234-3888

Pendleton County

299 Confederate Road
Franklin, WV 26807
304-358-3088

Pleasants County

605 Cherry Street
St. Marys, WV 26170
304-684-2217

Pocahontas County

819 Third Ave.
Marlinton, WV 24954
304-799-6550

Preston County

1343 N. Preston HWY,
Suite 2
Kingwood, WV 26537
304-329-1957

Putnam County

Putnam Village Shopping
Center
Teays, WV 25569
304-757-4200

Raleigh County

1600 Harper Road
Beckley, WV 25801
304-255-9034

Randolph County

107 Davis St.
Elkins, WV 26241
304-636-8100

Ritchie County

125 West Main St.
Harrisville, WV 26362
304-643-4082

Roane County

200 Main Street, East
Spencer, WV 25276
304-927-4977

Summers County

312 3rd Ave.
Hinton, WV 25951
304-466-5900

Taylor County

101 Beech St.
Grafton, WV 26354
304-265-2890

Tucker County

206 Senior Lane
Parsons, WV 26287
304-478-3096

Tyler County

403 South 2nd Ave.
Paden City, WV 26159
304-337-2011

Upshur County

33 Southfork Plaza Dr.
Buckhannon, WV 26201
304-472-4714

Wayne County

42 McGinnis Drive
Wayne, WV 25570
304-272-3951

Ft. Gay Family Health Ctr
71 Wayne St.
Ft. Gay, WV 25514

DIRECTORY

Webster County

80 North Main St.
Webster Springs, WV 26288
304-847-2601

Wetzel County

403 South 2nd Ave.
Paden City, WV 26159
304-337-2011

Wirt County

88 Senior Circle
Elizabeth, WV 26143
304-275-3150

Wood County

211 6th Street
Parkersburg, WV 26101
304-428-3688

Vienna Location:

1605 34th Street
Vienna, WV 26105
304-428-3688

Wyoming County

Route 10, Main Street
Oceana, WV 24870
304-682-0475

Housing Authority Offices by County

Barbour County

Housing Authority of
Randolph County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Berkeley County

703 S. Porter Ave.
Martinsburg, WV 25401
304-263-8891

Boone County

Housing Authority of Boone
County
Black Diamond Arbors
Danville, WV 25053
304-369-3442

Braxton County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Brooke County

Housing Authority of the City
of Weirton
525 Cove Road
Weirton, WV 26062
304-797-8530

Cabell County

Housing Authority of the City
of Huntington
300 7th Avenue West
Huntington, WV 25701
304-526-4400

Calhoun County

Housing Authority of the
County of Jackson
75 Whispering Way
Ripley, WV 25271
304-372-2343

Clay County

Charleston/Kanawha Housing
Authority
1525 Washington St., West
Charleston, WV 25387
304-348-6451 ext. 322

Doddridge County

Parkersburg Housing
Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Fayette County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Gilmer County

Housing Authority of the
County of Jackson
75 Whispering Way
Ripley, WV 25271
304-372-2343

Grant County

Grant County Housing
Authority
Johnson Run Road
PO Box 125
Petersburg, WV 26847
304-257-4087

Greenbrier County

Greenbrier Co. Housing
Authority
142 Maplewood Ave.
Lewisburg, WV 24901
304-645-4966

Hampshire County

Housing Authority of the City
of Romney
100 Valley View Drive
Romney, WV 26757
304-822-5296

Hancock County

Housing Authority of the City
of Weirton
525 Cove Road
Weirton, WV 26062
304-797-8530

Hardy County

Housing Authority of the City
of Keyser
470 Virginia St.
Keyser, WV 26726
304-788-2225

Harrison County

Clarksburg/Harrison Regional
Housing Authority
433 Baltimore Ave.
Clarksburg, WV 26301
304-623-3323

Jackson County

Housing Authority of the
County of Jackson
75 Whispering Way
Ripley, WV 25271
304-372-2343

Jefferson County

Housing Authority of the City
of Martinsburg
703 S. Porter Ave.
Martinsburg, WV 25401
304-263-8891

Kanawha County

Charleston/Kanawha Housing
Authority
1525 Washington St., West
Charleston, WV 25387
304-348-6451 ext. 322

Housing Authority of the City
of Dunbar
900 Dutch Hollow Road
Dunbar, WV 25064
304-768-8006

Housing Authority of the City
of St. Albans
650 6th Street
St. Albans, WV 25177
304-727-5441

Housing Authority of the City
of South Charleston
520 Goshorn Street
So. Charleston, WV 25309
304-768-9315

Lewis County

Housing Authority of the City
of Weston
124 E. 1st Street
Weston, WV 26452
304-269-6159

Housing Authority of
Randolph County (Lewis
County)
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Lincoln County

Boone County Housing and
Redevelopment Authority
824 Lick Creek Road
Danville, WV 25053
304-369-3442

Logan County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Marion County

Fairmont/Morgantown
Housing Authority
103 12th Street
Fairmont, WV 26555
304-363-0860

Marshall County

Housing Authority of
Benwood and McMechen
2200 Marshall Street
Benwood, WV 26031
304-233-0830

Housing Authority of the City
of Moundsville
501 Tenth St.
Moundsville, WV 26041
304-845-3141

Mason County

Housing Authority of the City
of Point Pleasant
404 Second Street
Point Pleasant, WV 25550
304-675-4414

McDowell County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Mercer County

Housing Authority of the City
of Bluefield
1600 Hill Avenue
Bluefield, WV 24701
304-325-9653

Mineral County

Housing Authority of the City
of Keyser
470 Virginia St.
Keyser, WV 26726
304-788-2225

Housing Authority of the City
of Piedmont
51 Jones Street
Piedmont, WV 26750
304-355-2929

Mingo County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Housing Authority of the City
of Williamson
1612 W. 6th Avenue
Williamson, WV 25661
304-235-3270

Monongalia County

Fairmont/Morgantown
Housing Authority
103 12th Street
Fairmont, WV 26555
304-363-0860

Monroe County

Raleigh Co. Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Morgan County

Greenbrier Co. Housing
Authority
142 Maplewood Ave.
Lewisburg, WV 24901
304-645-4966

Nicholas County

Raleigh Co. Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Ohio County

Housing Authority of the City
of Wheeling
11 Community Street
Wheeling, WV 26003
304-242-4447 ext. 109

Pendleton County

Housing Authority of
Randolph County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Pleasants County

Housing Authority of the City
of Parkersburg
1901 Cameron Avenue
Parkersburg, WV 26101
304-428-6400

Pocahontas County

Raleigh Co. Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Preston County

Fairmont/Morgantown
Housing Authority
103 12th Street
Fairmont, WV 26555
304-363-0860

Putnam County

Charleston/Kanawha Housing
Authority
1525 Washington St., West
Charleston, WV 25387
304-348-6451

Raleigh County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25802
304-255-5164

Housing Authority for the City
of Beckley
100 Beckwoods Drive
Beckley, WV 25801
304-256-1772

Randolph County

Housing Authority of
Randolph County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Housing Authority of the City
of Elkins
Gateway Apartments
1 Stoddard Ave.
Elkins, WV 26241
304-636-6793

Ritchie County

Parkersburg Housing
Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Roane County

Housing Authority of the City
of Spencer
601 Market Street
Spencer, WV 25276
304-927-4181

Summers County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Taylor County

Housing Authority of the City
of Grafton
131 East Main Street
Grafton, WV 26354
304-265-1183

Tucker County

Housing Authority of
Randolph County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Tyler County

Parkersburg Housing
Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Upshur County

Housing Authority of
Randolph County
1404 N. Randolph Ave.
Elkins, WV 26241
304-636-6495

Housing Authority of the City
of Buckhannon
23 ½ Hinkle Drive
Buckhannon, WV 26210
304-472-1305

Wayne County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

Webster County

Raleigh County Housing
Authority
282 George St.
Beckley, WV 25801
304-255-5164

Wetzel County

Parkersburg Housing
Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Wirt County

Parkersburg Housing
Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Wood County

Parkersburg Housing
Authority
1901 Cameron Ave.
Parkersburg, WV 26101
304-428-6400

Wyoming County

Housing Authority of Mingo
County
5026 Helena Avenue
Delbarton, WV 25670
304-475-4663

WV Birth to Three

www.wvdhhr.org/birth23

Region 1:

Brooke, Hancock, Marion, Marshall, Monongalia, Ohio, Tyler, Wetzel

Catholic Charities West Virginia
2000 Main Street, Suite 222
Wheeling, WV 26003
1-800-619-5697

Region 2:

Calhoun, Doddridge, Gilmer, Harrison, Pleasants, Ritchie, Wirt, Wood

The Arc of Mid-Ohio Valley
912 Market St.
Parkersburg, WV 26101
1-866-401-8919

Region 3:

Clay, Jackson, Kanawha, Roane

River Valley Child Development
1 Players Club Drive, Ste. 160
Charleston, WV 25311
1-844-885-0618

Region 4:

Boone, Cabell, Lincoln, Logan, Mason, Mingo, Putnam, Wayne

River Valley Child Development
432 2nd Street
Huntington, WV 25701
1-866-982-8855

Region 5:

Barbour, Lewis, Preston, Randolph, Taylor, Tucker, Upshur

MountainHeart Community Services
1200 Harrison Ave., Suite 220
Elkins, WV 26241
1-800-449-7790

Region 6:

Braxton, Greenbrier, Monroe, Nicholas, Pocahontas, Summers, Webster

MountainHeart Community Services
25 Red Oak Shopping Center
Lewisburg, WV 24901
1-866-229-0461

Region 7:

Fayette, McDowell, Mercer, Raleigh, Wyoming

MountainHeart Community Services
1411 North Walker Street
Princeton, WV 24740
1-866-207-6198

Region 8:

Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton

RESA 8 Child Development Services
109 S. College Street
Martinsburg, WV 25401
Phone: 1-800-367-3728

Child Care Resource and Referral Agencies (child care assistance)

West Virginia Child Care Resource and Referral Agency Areas

Choices CCR&R
4421 Emerson Ave., Suite 102
Parkersburg, WV 26104
304-485-2668,
1-866-966-2668

315 North Ohio Ave.,
Clarksburg, WV 26301
304-622-6528,
1-866-622-6528

Director: Kristy Ritz
Kristy.A.Ritz@wv.gov

Connect CCR&R
1 Player's Club Drive
Charleston, WV 25311
304-414-4488,
1-888-595-8290

Director: Toni McKinley
Toni.L.McKinley@wv.gov

Link CCR&R
611 7th Ave., Suite 100
Huntington, WV 25701
304-523-9540,
1-800-894-9540

19 Circle Drive
Logan, WV 25601
304-752-3932

Director: Cristie Dunbar
Cristie.R.Dunbar@wv.gov

**Child Care Resource Center
Catholic Charities West Virginia**
2000 Main St., Suite 100
Wheeling, WV 26003
304-232-1603,
1-800-585-1603

100 Municipal Plaza, Suite 600
Weirton, WV 26062
304-794-3060

1236 N. St., Rt. 2
New Martinsville, WV 26155
304-455-0920

118 Adams St., Suite 201
Fairmont, WV 26554
304-366-3615

Director: Brittany Lucci
Brittany.K.Lucci@wv.gov

**MountainHeart Community
Services North**
836 Lanice Ck HWY (PO Box 728)
Petersburg, WV 26847
304-257-9375,
1-877-211-KIDS(5437)

956 Yates Avenue (PO Box 32)
Grafton, WV 26354
304-265-0142, 1-877-811-KIDS(5437)

239 Court Ave. (PO Box 630)
Weston, WV 26452
304-269-5332, 1-866-232-9227

1200 Harrison Ave., Suite 220
Elkins, WV 26241
304-637-2840, 1-877-862-3103

321-A Lutz Avenue
Martinsburg, WV 25404
304-262-1584, 1-888-915-7653

Director: Willetta Bolinger
Willetta.J.Bolinger@wv.gov

**MountainHeart Community
Services South**
228 Ragland Rd. (PO Box 966)
Beckley, WV 25801
304-253-7654, 1-888-799-9217

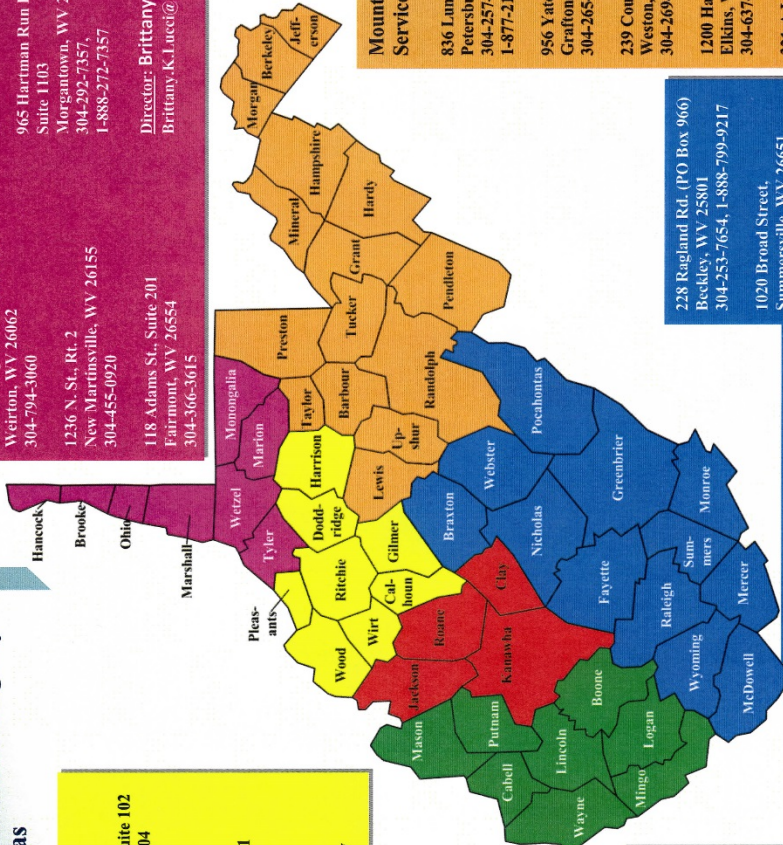
1020 Broad Street,
Summersville, WV 26651
304-872-9200, 1-866-598-4452

330 Red Oak Shopping Center
Suite 6
Ronceverte, WV 24970
(PO Box 1610)
Lewisburg, WV 24901

33 MountainHeart Ln., Matheny WV 24860
(PO Box 1509, Oceana, WV 24870)
304-682-8271, 1-800-834-7082

1411 North Walker Street
Princeton, WV 24740
304-425-3669, 1-800-738-8531

Director: Margaret Younce
Margaret.A.Younce@wv.gov



WVDEH, Bureau for Children & Families
Updated: February 2018

Parents as Teachers Agencies by County

This is compiled information obtained on the internet and is as accurate as possible. When contacting the agency, ask for the Parents as Teachers Program.

Barbour County

Allegheny Highlands Parents
as Teachers
39 S. Main St.
Philippi, WV 26416
304-457-2691
304-478-3827

Berkeley County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Boone County

Cornerstone Family
Interventions, Inc.
331 State Street, Suite 300
Madison, WV 25130
304-369-5283

Braxton County

Clay-Braxton Parents as
Teachers
PO Box 120
242 Church St.
Clay, WV 26043
304-587-2445

Brooke County

Brooke Hancock Family
Resource Network
1300 Potomac Ave.
Weirton, WV 26062
304-748-7850

Cabell County

No parents as teachers
program, similar services may
be available from:

Mountain State Healthy
Families
304-523-9587

Calhoun County

Children's Home Society of
West Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Clay County

Clay-Braxton Parents as
Teachers
PO Box 120
242 Church St.
Clay, WV 25043
304-587-2445

Clay-Nicholas
Parents as Teachers
PO Box 168
190 Riverside Drive
Richwood, WV 26261
304-286-3182

Doddridge County
Doddridge County Starting
Points Center, Inc.
1171 WV Route 18 N., Suite
3, 1034
West Union, WV 26456
304-873-3500

Fayette County
New River Health MIHOW
19 Jefferson St.
Fayetteville, WV 25840
304-469-2415

Gilmer County
Children's Home Society of
West Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Grant County
Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Greenbrier County
Rainelle Medical Center
176 Medical Center Drive
Rainelle, WV 25962
304-438-6188

Hampshire County
Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-260-5884

Hancock County
Brooke Hancock Family
Resource Network
1300 Potomac Ave.
Weirton, WV 26062
304-748-7850

Hardy County
Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Harrison County
Harrison County Parents as
Teachers
127 W. Main St.
Clarksburg, WV 26301
304-622-0292

DIRECTORY

Jackson County

Children's Home Society
1717 St. Mary's Ave.
Parkersburg, WV 26101
304-485-0650

Jefferson County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Kanawha County

Regional Family Resource
Network
1078 Main St.
Elkview, WV 25071
304-595-5521

Lewis County

Lewis County Family
Resource Network
240 Court Ave.
Weston, WV 26452
304-269-4000

Lincoln County

Cornerstone Family
Interventions, Inc.
331 State Street, Suite 300
Madison, WV 25130
304-369-5283

Logan County

No parents as teachers
program, similar services may
be available from:

Mountain State Healthy
Families
304-523-9587

Marion County

* Available services for
Marion County may be
limited.

Harrison County Parents as Teachers

127 W. Main St.
Clarksburg, WV 26301
304-622-0292

Marshall County

Marshall County Family
Resource Network
1501 Second St.
Moundsville, WV 26041
304-845-3300

Mason County

No parents as teachers
program, similar services may
be available from:

Mountain State Healthy
Families
304-523-9587

McDowell County

The Community Crossing,
Inc.
225 Maple Ave.
Welch, WV 24801
304-436-8300 ext. 101

Mercer County

REACHH FRC
205 Thorn St.
Princeton, WV 24740
304-466-2226

Mineral County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Mingo County

Able Families, Inc.
PO Box 1249
Kermit, WV 25674
304-393-4987

Monongalia County

Mon County FRC/The
Shack/MIHOW
537 Blue Horizon Drive
Morgantown, WV 26501
304-983-7700 ext. 204

Monroe County

Monroe County Early
Headstart
PO Box 330
Union, WV 24983
304-772-3284

Morgan County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Nicholas County

Clay-Nicholas Parents as
Teachers
PO Box 168
190 Riverside Drive
Richwood, WV 26261
304-846-4479

Ohio County

Ohio County MIHOW
94 Finch Ave.
Wheeling, WV 26003
304-232-4590

Pendleton County

Burlington United Methodist
Family Services
120 Hope Lane
Burlington, WV 26710
304-788-2342
304-260-5884

Pleasants County

Children's Home Society of
West Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Pocahontas County

Greenbrier/Pocahontas
Parents as Teachers
2161 Douthards Creek Rd.
Marlinton, WV 24954
304-799-6339

Preston County

Preston County Caring
Council, Inc.
Preston-Taylor Parents as
Teachers
105 West High Street
Kingwood, WV 26537
304-329-1968

Putnam County

No parents as teachers
program; similar services may
be available from:

Mountain State Healthy
Families
304-523-9587

Raleigh County

New River Health MIHOW
19 Jefferson St.
Fayetteville, WV 25840
304-469-2415

Randolph County

Allegheny Highlands PAT
305 Henry Ave.
Elkins, WV 26241
304-636-4454

Ritchie County

Children's Home Society
59 Stadium Drive
Pennsboro, WV 26415
304-659-3988

Roane County

Children's Home Society of
West Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Summers County

REACHH Family Resource
Center
411 Temple Street
Hinton, WV 25951
304-466-2226

Taylor County

Taylor County Family
Resource Network
#1 Prospect Street
Grafton, WV 26354
304-903-8362

Tucker County

Tucker County Family
Resource Network
Allegheny Highlands PAT
100 Education Lane
Parsons, WV 26287
304-478-3827

Tyler County

Wetzel County Center for
Children and Families
Rt. 2 Box 107
New Martinsville, WV 26155
304-455-2468

Upshur County

Lewis County Family
Resource Network
240 Court Ave.
Weston, WV 26452
304-269-4000

Wayne County

No parents as teachers
program, similar services may
be available from:

Mountain State Healthy
Families
304-523-9587

Webster County

Nicholas County Starting
Points
190 Riverside Drive
Richwood, WV 26261
304-846-4479

Wetzel County

Wetzel County Center for
Children and Families
Rt. 2 Box 107
New Martinsville, WV 26155
304-455-2468

Wirt County

Children's Home Society of
West Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Wood County

Children's Home Society of
West Virginia
1717 St. Mary's Avenue
Parkersburg, WV 26102
304-485-0650

Wyoming County

MountainHeart Community
Services
PO Box 1509
Oceana, WV 24870
304-682-6535

Legal Aid of West Virginia Offices by County

**** Please note that you cannot apply for services or speak to an attorney by visiting or calling a local office. You can visit a local office to pick up forms or browse our brochures. We also offer a direct phone line to our intake system in the lobbies of each of our offices to apply for services. **Please call 1-866-255-4370 to apply for services or apply online at www.lawv.net.****

Barbour County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Berkeley County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Boone County

922 Quarrier Street,
4th Floor
Charleston, WV 25301
304-343-4481

Braxton County

922 Quarrier Street,
4th Floor
Charleston, WV 25301
304-343-4481

Brooke County

The Mull Center
1025 Min Street,
Suite 76
Wheeling, WV 26003
304-232-1260

Cabell County

418 8th Street, 2nd Floor
Huntington, WV 25701
304-697-2070

Calhoun County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Clay County

922 Quarrier Street,
4th Floor
Charleston, WV 25301
304-343-4481

DIRECTORY

Doddridge County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Fayette County

115B South Kanawha Street
Beckley, WV 25801
304-255-0561

Gilmer County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Grant County

224 Third St.
PO Box 229
Elkins, WV 26241

Greenbrier County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Hampshire County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Hancock County

The Mull Center
1025 Main Street,
Suite 716
Wheeling, WV 26003
304-232-1260

Hardy County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Harrison County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Jackson County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Jefferson County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Kanawha County

922 Quarrier Street,
4th Floor
Charleston, WV 25301
304-343-4481

Lewis County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Lincoln County

922 Quarrier Street,
4th Floor
Charleston, WV 25301
304-343-4481

Logan County

107 Stratton St.
Logan, WV 25601
304-752-4178

Marion County

165 Scott Ave., Suite 209
Morgantown, WV 26508
304-296-0001

Marshall County

The Mull Center
1025 Main Street,
Suite 716
Wheeling, WV 26003
304-232-1260

Mason County

418 8th Street, 2nd Floor
Huntington, WV 25701
304-697-2070

McDowell County

1519 North Walker St.
Princeton, WV 24740
304-487-1463

Mercer County

1519 North Walker St.
Princeton, WV 24740
304-487-1463

Mineral County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Mingo County

107 Stratton St.
Logan, WV 25601
304-752-4178

Monongalia County

165 Scott Ave., Suite 209
Morgantown, WV 26508
304-296-0001

Monroe County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Morgan County

301 W. Burke St., Suite B
Martinsburg, WV 25401
304-263-8871

Nicholas County

115B South Kanawha St.
Beckley, WV 25801
304-255-0561

Ohio County

The Mull Center
1025 Main Street,
Suite 716
Wheeling, WV 26003
304-232-1260

Pendleton County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Pleasants County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Pocahontas County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Preston County

165 Scott Ave., Suite 209
Morgantown, WV 26508
304-296-0001

Putnam County

922 Quarrier Street, 4th Floor
Charleston, WV 25301
304-343-4481

Raleigh County

115B South Kanawha Street
Beckley, WV 25801
304-255-0561

Randolph County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Ritchie County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Roane County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Summers County

125 Green Lane
Lewisburg, WV 24901
304-645-3131

Taylor County

110 S. Third St.
Clarksburg, WV 26301
304-623-6649

Tucker County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Tyler County

The Mull Center
1025 Main Street,
Suite 716
Wheeling, WV 26003
304-232-1260

Upshur County

224 Third St.
PO Box 229
Elkins, WV 26241
304-635-7600

Wayne County

418 8th Street, 2nd Floor
Huntington, WV 25701
304-697-2070

Webster County

922 Quarrier Street,
4th Floor
Charleston, WV 25301
304-343-4481

Wetzel County

The Mull Center
1025 Main Street,
Suite 716
Wheeling, WV 26003
304-232-1260

Wirt County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Wood County

327 9th Street
Parkersburg, WV 26101
304-485-7522

Wyoming County

1519 North Walker St.
Princeton, WV 24740
304-487-1463