WEST VIRGINIA CODE: §48-22-201

§48-22-201. Persons who may petition for decree of adoption.

Any person not married or any person, with his or her spouse’s consent, or any husband and wife jointly, may petition a circuit court of the county wherein such person or persons reside for a decree of adoption of any minor child or person who may be adopted by the petitioner or petitioners: *Provided*, That if the minor child to be adopted has been removed from a prior home due to an abuse or neglect proceeding, the petition may be filed in the same county as the original abuse and neglect proceeding regarding the minor child.

WV Legislature