WEST VIRGINIA CODE: §54-2-4

§54-2-4. Persons under disability.

(a) The court shall protect the rights of any person who is under a legal disability because he or she is a protected person, as defined in section two (a), article one, chapter forty-four-a of this code, or incarcerated, and whose ownership interest, lien or other claim to property requires them to be a party in a condemnation action brought pursuant to the provisions of this chapter.

(b) A protected person who is a party in a condemnation action may be represented by a conservator or guardian or by a limited guardian appointed by the court to represent the protected person in the condemnation action.

(c) An incarcerated person who is a party in a condemnation action and who has an attorney or committee shall be represented by the attorney or committee. An incarcerated person who is a party in a condemnation action who does not have an attorney or committee shall be represented by an attorney appointed by the court.

(d) The court shall appoint a guardian ad litem to defend the interests of an unknown owner or owners of property subject to condemnation.

(e) Notwithstanding any other provisions of this code to the contrary, the provisions of this chapter regarding the procedure in condemnation actions shall be followed.

(f) The court may direct payment of a limited guardian, attorney or guardian ad litem appointed in an amount to be fixed by the court or judge, to be taxed as costs and paid by the applicant.

WV Legislature