WEST VIRGINIA CODE: §62-15B-2

§62-15B-2. Establish eligibility and policies procedures.

(a) Each local family drug treatment court advisory committee shall establish criteria for the eligibility and participation of adult respondents who have been adjudicated an abusing or neglecting parent pursuant to §49-4-601(i) and who have been granted a post-adjudicatory improvement period pursuant to §49-4-610(2) and who have a substance use disorder. Adult respondents who have been adjudicated for such abuse that the department is not required to make reasonable efforts to preserve the family as defined in §49-4-604(c)(7) shall not be eligible for participation in any family drug treatment court: *Provided*, That if the court determines that the parental rights of the parent to another child have been terminated involuntarily, the court, in its sole discretion and subject to other eligibility criteria as established by the local family drug treatment court advisory committee, may admit the parent to family drug treatment court.

(b) Participation by an adult respondent in a family drug treatment court shall be voluntary and made pursuant only to a written agreement into by and between the adult respondent and the department with concurrence of the court.

WV Legislature