

# When Cases Go to Court

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It may be necessary to file a petition with Circuit Court in order to protect children. Child Protective Services must file a petition when:

- The child is unsafe and there isn't a way to allow the child to stay in their parents' home with extended family's assistance or other supports. This process is outlined in Child Protection Services Policy 4.13
- A child is in imminent danger and can't stay in their parent's home with extended family's assistance or other supports.
- The parent or caregiver has committed an act which meets the definition of aggravated circumstances or other situations as defined in WV Code 49-6-3(d).
- The child is unsafe and has been able to stay in their home but the parents have not been able to change the issues that threaten their child's safety