

FIRST REGULAR SESSION

SENATE BILL NO. 314

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR STEELMAN.

Read 1st time January 17, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1280S.021

AN ACT

To amend chapter 452, RSMo, by adding thereto one new section relating to child custody.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 452, RSMo, is amended by adding thereto one new section, to be known as section 452.406, to read as follows:

452.406. 1. In order to effectuate the public policy of the state as set forth in section 452.375, the court shall make determinations of custody arrangements pursuant to the provisions of this section.

2. "Custody proceeding", as used in this section, means any case filed pursuant to chapter 452, RSMo, where determining or modifying custody is an issue.

3. In any custody proceeding, the judge or commissioner of the court shall enter a final judgment within eighteen months from the first date the issue of determining or modifying custody is first filed with the court. In any such case, however, final judgment shall be entered on or before sixty days from the date that all evidence has been received by the court.

4. Each judge or commissioner who fails to meet the time limitation set forth in this section shall notify the clerk of the circuit court in which the case is pending within five days following the expiration of the limitation period. The notice shall contain the name and number of each case which has not been disposed of in accordance with the provisions of this section.

5. The clerk of the circuit court will cause to be published in a prominent place in the circuit clerk's office a register of each custody proceeding not disposed of pursuant to the time limitation of this section, identifying the case by the judge or commissioner before whom such case is pending and the case name and number. The

circuit court clerk shall also submit a copy of the notice with the office of administration.

6. Any judge or commissioner who fails to comply with the terms and conditions of this section shall forfeit any increase in compensation or benefits for the calendar year following the violation.

7. The clerk of each circuit court shall submit a notice at the end of the month to the office of the state courts administrator. The notice shall contain the case name and number and date filed of any new action in which a petition or motion is filed to establish or modify custody, and the date upon which the court issues a final decision or judgment in any such pending case.

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