

# State Senator Robert Mayer The Mayer Memo

Senator Robert Mayer - Serving Butler, Dunklin, New Madrid, Pemiscot, Ripley, Stoddard & Wayne Counties



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## Legislature Set to Enact Updated Child Custody Laws, Child Protection Witness Act and Other Court Measures

A bill seeking to update Missouri law in the area of child custody jurisdiction and enforcement — which I supported and advanced in the General Assembly this year — is set to become law this summer upon the governor's signature. The proposed legislation, incorporated into [House Bill 481](#), would add Missouri to the list of states that have enacted the "Uniform Child Custody Jurisdiction and Enforcement Act" — an act that provides a more uniform procedure for registering and enforcing child custody orders across state lines.

The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) has been enacted in at least 46 other states since 1997 and its purpose is to revise the existing "Uniform Child Custody Jurisdiction Act" to bring it into compliance with the Parental Kidnapping Prevention Act and other federal statutes such as the Violence Against Women Act and to make other necessary changes brought on by inconsistent court interpretations in this important area of law.

If approved, the act would provide Missouri courts with more guidance on issues regarding establishing initial custody determinations, continuing jurisdiction, modifications of custody determination, and emergency orders. And by enforcing child custody orders, Missouri courts would be able to provide more protections for families, children and victims of domestic violence under provisions of the newly enacted law.

There were several others bills passed by the Legislature this session regarding Missouri courts, and I would like to highlight a few of them here. Among those passed was my measure — included in [Senate Bill 265](#) — that would allow Missouri state courts to continue collecting the Statewide Court Automation Fee until 2013 to pay for computerized judicial recordkeeping. Court automation links all of Missouri's courts and state agencies with each other, makes case filing and processing more efficient and less costly, and enhances public safety. This legislation is important for ensuring our state can adequately complete the vital statewide computerized recordkeeping project.

Children testifying in Missouri courtrooms would have more protections from potential harassment and intimidation through the passage of the *Child Witness Protection Act* that I supported that was passed in [House Bill 863](#). The proposed legislation would expand protections for children 17

and younger testifying in Missouri courtrooms by establishing a uniform set of guidelines for their treatment during court proceedings. The guidelines would include allowing the courts to better accommodate child witnesses in several ways, such as administering the oath to children in an age-appropriate manner, permitting a child witness to have a comfort item, such as a toy or blanket, allowing the presence of a support person who abides by court-established rules, and making accommodations in the courtroom such as adjusting the courtroom layout and relaxing the formalities of the proceedings. I believe this proposed legislation would facilitate fair and accurate testimony, minimize the trauma of testifying in court, and make sure children testifying in court are not mistreated.

In addition, the General Assembly passed [Senate Bill 37](#), which would provide relief to Missouri's overworked public defender system by establishing maximum caseload limits for public defenders and allowing the Public Defender Commission to contract cases to private attorneys when needed.

These updates and changes to Missouri law are vital to improving our state courts, and I hope the governor will endorse these progressive measures.

As always, if you have comments or questions about this week's column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by phone at 1-877-291-5584.

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