

SECOND REGULAR SESSION

# SENATE BILL NO. 1073

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time February 22, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6526S.011

## AN ACT

To repeal sections 37.719, 162.685, 210.565, 210.566, and 211.171, RSMo, and to enact in lieu thereof eight new sections relating to foster care.

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

Section A. Sections 37.719, 162.685, 210.565, 210.566, and 211.171, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 37.719, 162.685, 210.564, 210.565, 210.566, 211.171, 484.355, and 660.022, to read as follows:

37.719. 1. The office shall have the authority to and may conduct an independent review of any entity within a county that has experienced [three] **two** or more review requests in a calendar year including, but not limited to, children's division, the juvenile office, or guardian ad litem. The office shall establish and implement procedures for reviewing any such entity.

2. The office shall have the authority to make the necessary inquiries and review relevant information and records as the office deems necessary in order to conduct such reviews.

3. The office may make recommendations on changes to any entity's policies and procedures based on the results of the review in order to improve the delivery of services or the function of the entity. Upon completing a review under the provisions of this section, the office shall submit any findings and recommendations to the children's division and the office of state courts administrator, **and the general assembly.**

162.685. 1. The state board of education shall adopt, after at least one public hearing has been held by the commissioner of education on each subsection of this section and upon his recommendation and, after consulting with

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

4 recognized authorities in the field:

5 (1) Standards to be used throughout the state of Missouri in determining  
6 whether children shall be defined under sections 162.670 to 162.995 as  
7 "handicapped children" or "severely handicapped children", together with  
8 regulations implementing these standards;

9 (2) Regulations governing evaluation and reevaluation of handicapped and  
10 severely handicapped children prior to and during assignment in a special  
11 educational program; provided, however, each child assigned to a special  
12 educational program shall be fully reevaluated on a regular basis;

13 (3) Standards for approval of all special education programs established  
14 under the provisions of sections 162.670 to 162.995 including, but not limited to,  
15 the qualifications of professional personnel employed in such programs and the  
16 standards to be used in determining the assignment of each child requiring  
17 special educational services to the program which best suits the needs of the  
18 child;

19 (4) Regulations determining the number of enrolled children which  
20 constitutes an approved special program including provision for approval by the  
21 state board of education of a program of less than the established number if, upon  
22 investigation by the state department of elementary and secondary education and  
23 upon the recommendation of the commissioner of education, it is found a special  
24 need exists;

25 (5) Regulations to be used in determining the eligibility of children in  
26 special education programs to attend less than a school day pursuant to section  
27 167.031, RSMo 1969, and in determining the amount of state aid to be paid on a  
28 pro rata basis for part-time attendance or programs.

29 **2. Any standards created pursuant to subdivision (1) of**  
30 **subsection 1 of this section shall allow the consideration of trauma as**  
31 **a result of experience in foster care for the purposes of determining a**  
32 **student's eligibility for special educational services.**

**210.564. 1. This section shall be known and may be cited as the**  
2 **"Foster Care Bill of Rights".**

3 **2. The children's division shall provide every school-aged foster**  
4 **child and his or her foster parent with an age-appropriate orientation**  
5 **and explanation of the foster care bill of rights. Any children's division**  
6 **office, residential care facility, child placement agency, or other agency**  
7 **involved in the care and placement of foster children shall post the**

8 foster care bill of rights in the office, facility, or agency. The children's  
9 division shall also make the foster care bill of rights readily available  
10 and easily accessible online.

11 3. The foster care bill of rights shall be as follows:

12 (1) Recognizing the importance of familial stability, legal  
13 permanence, and relational ties for children in foster care, child  
14 welfare professionals, including but not limited to guardians ad litem,  
15 juvenile officers, and children's division employees, shall, whenever  
16 appropriate, support a child's return to the custody and care of the  
17 parents or guardians with whom the child resided immediately prior  
18 to state custody with all due diligence, provided that:

19 (a) When such restoration of care and custody is not appropriate  
20 or possible under this subdivision, child welfare professionals shall  
21 attempt to place the child with suitable kinship relations before  
22 seeking other placement options or non-kinship adoptive families; and

23 (b) The children's division shall further support the child's social  
24 connections and relational ties by ensuring continuity of foster  
25 placement, without unnecessary repeated changes, except in emergency  
26 situations or if the family support team, including the parents and  
27 child, find a change in placement to be in the best interests of stability;

28 (2) Recognizing the value of familial relationships for children  
29 in foster care and adoption settings, where not otherwise prohibited or  
30 contrary to a child's best interests, the children's division shall ensure  
31 regular visitation and communication between siblings in state custody,  
32 and shall support regular visitation and communication between  
33 children in state custody and their parents and relatives, provided that:

34 (a) The terms and parameters of visitation and communication  
35 between siblings, and between children in care and parents and other  
36 relatives, shall be agreed upon in writing and shall be made part of  
37 each case plan;

38 (b) If said terms and parameters are modified between family  
39 support team meetings, the written plans shall be distributed to the  
40 child and all parties to the case plan; and

41 (c) Children or youth who are in a residential treatment or other  
42 secure facility shall be allowed, at their request, to receive visitors,  
43 including siblings, foster parents, attorneys, guardians ad litem, special  
44 advocates, and, when appropriate, birth parents and extended family

45 members;

46 (3) Recognizing the need for children and youth to learn skills,  
47 and participate meaningfully in community life, the children's division  
48 shall assure that each child or youth in care engages in ongoing,  
49 normalizing, and age or developmentally-appropriate extracurricular,  
50 enrichment, and social activities according to their interests, provided  
51 that:

52 (a) Each child or youth's caregiver shall make decisions about  
53 participation in normalizing activities using a reasonable and prudent  
54 person standard to promote the most family-like environment possible  
55 for the child;

56 (b) No state regulation or policy shall prevent or create  
57 unnecessary barriers to access to such activities. In all cases where  
58 barriers are put in place, the child welfare team, including the child,  
59 shall determine if such barriers are necessary. No agency contracted  
60 with the state to provide foster care case management, residential  
61 treatment services, or transitional living services to children and youth  
62 shall create rules or policies which prevent or create unnecessary  
63 barriers to access to such activities;

64 (c) Extracurricular, enrichment, and social activities for  
65 children, according to their interests, shall be included in each child's  
66 case plan, and reviewed periodically as part of the plan; and

67 (d) A credible, child-friendly grievance procedure shall be  
68 developed to allow children aged fourteen years or older to achieve  
69 resolution for their complaints related to the provision of normalizing  
70 activities as described in this subdivision. An explanation of such  
71 procedures shall be provided to children in an age or developmentally-  
72 appropriate format at every family support team meeting or case  
73 review;

74 (4) Child welfare professionals and family support team members  
75 shall work with each child aged thirteen years and older in the custody  
76 of the state to develop a case plan. Each case plan shall address and  
77 support a permanent placement goal and, where appropriate, a  
78 concurrent goal. These plans shall be developed within thirty days of  
79 a child's entrance into the custody of the state, provided that:

80 (a) The case plan shall address a child's specific medical and  
81 emotional needs in addition to provisions for normalizing experiences

82 and visitation plans. The case plan shall support permanency  
83 goals. Every child shall be provided a copy of his or her case plan and  
84 any revisions;

85 (b) Child welfare professionals shall ensure that each child in  
86 the custody of the state attend every court hearing as he or she desires,  
87 unless his or her presence is waived by the guardian ad litem and the  
88 court for good cause. Children shall be allowed to attend all family  
89 support team meetings and permanency planning review team meetings  
90 unless the family support team determines such attendance not to be  
91 in the best interests of the child, or the child requests not to  
92 attend. Children aged fourteen years or older shall not be prohibited  
93 from participating in such meetings. Family support team meetings  
94 shall be scheduled outside of school hours or on school vacations or  
95 holidays to support successful educational outcomes for  
96 children. Every child aged fourteen years or older shall be allowed to  
97 name at least two individuals of their choice to become members of the  
98 family support team; and

99 (c) Each case plan shall be written in child-friendly language to  
100 the extent possible. Each child's case plan shall be explained to the  
101 child in an age or developmentally-appropriate manner. Each child  
102 shall be entitled to ask questions about his or her case plan, and shall  
103 receive explanations in an age or developmentally-appropriate manner  
104 from the case manager, caregiver, or guardian ad litem; and

105 (5) Each child in foster care shall be entitled to:

106 (a) Appropriate and properly managed health care, including  
107 psychotropic medications, in the context of a coordinated health care  
108 plan, which provides for the child's physical, emotional, developmental,  
109 educational, and mental well-being; and

110 (b) An individualized psychotropic medication plan aimed at  
111 cessation of pharmaceutical treatment whenever possible.

210.565. 1. Whenever a child is placed in a foster home and the court has  
2 determined pursuant to subsection 4 of this section that foster home placement  
3 with relatives is not contrary to the best interest of the child, the children's  
4 division shall give foster home placement to relatives of the  
5 child. Notwithstanding any rule of the division to the contrary, the children's  
6 division shall make diligent efforts to locate the grandparents of the child and  
7 determine whether they wish to be considered for placement of the

8 child. Grandparents who request consideration shall be given preference and  
9 first consideration for foster home placement of the child. If more than one  
10 grandparent requests consideration, the family support team shall make  
11 recommendations to the juvenile or family court about which grandparent should  
12 be considered for placement.

13 2. As used in this section, the [term] **following terms shall mean:**

14 (1) **"Kin" or "kinship", a person who is related to the child by**  
15 **blood or affinity beyond the third degree, or a person who is not so**  
16 **related to the child but has a close relationship with the child or the**  
17 **child's family, including but not limited to godparents, neighbors,**  
18 **teachers, or close family friends; and**

19 (2) **"Relative" [means], a grandparent or any other person related to**  
20 **another by blood or affinity within the third degree. The status of a grandparent**  
21 **shall not be affected by the death or the dissolution of the marriage of a son or**  
22 **daughter.**

23 3. The following shall be the order or preference for placement of a child  
24 under this section:

25 (1) Grandparents and relatives;

26 (2) [A trusted adult that has a preexisting relationship with the child,  
27 such as a godparent, teacher, neighbor, or fellow parishioner] **Kin**, who  
28 voluntarily [agrees] **agree** to care for the child; and

29 (3) Any foster parent who is currently licensed and capable of accepting  
30 placement of the child.

31 4. The preference for placement and first consideration for grandparents  
32 or preference for placement with other relatives created by this section shall only  
33 apply where the court finds that placement with such grandparents or other  
34 relatives is not contrary to the best interest of the child considering all  
35 circumstances. If the court finds that it is contrary to the best interest of a child  
36 to be placed with grandparents or other relatives, the court shall make specific  
37 findings on the record detailing the reasons why the best interests of the child  
38 necessitate placement of the child with persons other than grandparents or other  
39 relatives.

40 5. Recognizing the critical nature of sibling bonds for children, the  
41 children's division shall make reasonable efforts to place siblings in the same  
42 foster care, kinship, guardianship, or adoptive placement, unless doing so would  
43 be contrary to the safety or well-being of any of the siblings. If siblings are not

44 placed together, the children's division shall make reasonable efforts to provide  
45 frequent visitation or other ongoing interaction between the siblings, unless this  
46 interaction would be contrary to a sibling's safety or well-being.

47 6. The age of the child's grandparent or other relative shall not be the  
48 only factor that the children's division takes into consideration when it makes  
49 placement decisions and recommendations to the court about placing the child  
50 with such grandparent or other relative.

51 7. For any Native American child placed in protective custody, the  
52 children's division shall comply with the placement requirements set forth in 25  
53 U.S.C. Section 1915.

54 8. A grandparent [or], other relative, **or kin** may, on a case-by-case basis,  
55 have standards for licensure not related to safety waived for specific children in  
56 care that would otherwise impede licensing of the [grandparent's or relative's]  
57 home **of the grandparent, relative, or kin**. In addition, any person receiving  
58 a preference may be licensed in an expedited manner if a child is placed under  
59 such person's care.

60 9. **When placed in the home of a grandparent, other relative, or**  
61 **kin, foster children of the opposite sex who are siblings shall be**  
62 **permitted to sleep in the same room if doing so would be in the**  
63 **children's best interests and presents no safety concerns.**

64 10. The guardian ad litem shall ascertain the child's wishes and feelings  
65 about his or her placement by conducting an interview or interviews with the  
66 child, if appropriate based on the child's age and maturity level, which shall be  
67 considered as a factor in placement decisions and recommendations, but shall not  
68 supersede the preference for relative placement created by this section or be  
69 contrary to the child's best interests.

210.566. 1. (1) The children's division and its contractors, recognizing  
2 that foster parents are not clients but rather are colleagues in the child welfare  
3 team, shall treat foster parents in a manner consistent with the National  
4 Association of Social Workers' ethical standards of conduct as described in its  
5 Social Workers' Ethical Responsibilities to Colleagues. Foster parents shall treat  
6 the children in their care, the child's birth family and members of the child  
7 welfare team in a manner consistent with their ethical responsibilities as  
8 professional team members.

9 (2) The children's division and its contractors shall provide written  
10 notification of the rights enumerated in this section at the time of initial

11 licensure and at the time of each licensure renewal following the initial licensure  
12 period.

13         2. (1) The children's division and its contractors shall provide foster  
14 parents with regularly scheduled opportunities for preservice training, and  
15 regularly scheduled opportunities for pertinent inservice training, as determined  
16 by the Missouri State Foster Care and Adoption Advisory Board.

17         (2) The children's division and its contractors shall provide to foster  
18 parents and potential adoptive parents, prior to placement, all pertinent  
19 information, including but not limited to full disclosure of all medical,  
20 psychological, and psychiatric conditions of the child, as well as information from  
21 previous placements that would indicate that the child or children may have a  
22 propensity to cause violence to any member of the foster family home. The foster  
23 parents shall be provided with any information regarding the child or the child's  
24 family, including but not limited to the case plan, any family history of mental  
25 or physical illness, sexual abuse of the child or sexual abuse perpetrated by the  
26 child, criminal background of the child or the child's family, fire-setting or other  
27 destructive behavior by the child, substance abuse by the child or child's family,  
28 or any other information which is pertinent to the care and needs of the child and  
29 to protect the foster or adoptive family. Knowingly providing false or misleading  
30 information to foster parents in order to secure placement shall be denoted in the  
31 caseworker's personnel file and shall be kept on record by the division.

32         (3) The children's division and its contractors shall arrange preplacement  
33 visits, except in emergencies.

34         (4) The foster parents may ask questions about the child's case plan,  
35 encourage a placement or refuse a placement without reprisal from the  
36 caseworker or agency. After a placement, the children's division and its  
37 contractors shall update the foster parents as new information about the child is  
38 gathered.

39         (5) Foster parents shall be informed in a timely manner by the children's  
40 division and its contractors of all team meetings and staffings concerning their  
41 licensure status or children placed in their homes, and shall be allowed to  
42 participate, consistent with section 210.761.

43         (6) The children's division and its contractors shall establish reasonably  
44 accessible respite care for children in foster care for short periods of time, jointly  
45 determined by foster parents and the child's caseworker pursuant to section  
46 210.545. Foster parents shall follow all procedures established by the children's



47 division and its contractors for requesting and using respite care.

48 (7) Foster parents shall treat all information received from the children's  
49 division and its contractors about the child and the child's family as  
50 confidential. Information necessary for the medical or psychiatric care of the  
51 child may be provided to the appropriate practitioners. Foster parents may share  
52 information necessary with school personnel in order to secure a safe and  
53 appropriate education for the child. Additionally, foster parents shall share  
54 information they may learn about the child and the child's family, and concerns  
55 that arise in the care of the child, with the caseworker and other members of the  
56 child welfare team. Recognizing that placement changes are difficult for children,  
57 foster parents shall seek all necessary information, and participate in  
58 preplacement visits whenever possible, before deciding whether to accept a child  
59 for placement.

60 3. (1) Foster parents shall make decisions about the daily living concerns  
61 of the child, and shall be permitted to continue the practice of their own family  
62 values and routines while respecting the child's cultural heritage. All discipline  
63 shall be consistent with state laws and regulations. The children's division shall  
64 allow foster parents to help plan visitation between the child and the child's  
65 siblings or biological family. Visitations should be scheduled at a time that meets  
66 the needs of the child, the biological family members, and the foster family  
67 whenever possible. Recognizing that visitation with family members is an  
68 important right of children in foster care, foster parents shall be flexible and  
69 cooperative with regard to family visits.

70 (2) Foster parents shall provide care that is respectful of the child's  
71 cultural identity and needs. Recognizing that cultural competence can be  
72 learned, the children's division and their contractors shall provide foster parents  
73 with training that specifically addresses cultural needs of children, including but  
74 not limited to, information on skin and hair care, information on any specific  
75 religious or cultural practices of the child's biological family, and referrals to  
76 community resources for ongoing education and support.

77 (3) Foster parents shall recognize that the purpose of discipline is to teach  
78 and direct the behavior of the child, and ensure that it is administered in a  
79 humane and sensitive manner. Foster parents shall use discipline methods which  
80 are consistent with children's division policy.

81 4. (1) Consistent with state laws and regulations, the children's division  
82 and its contractors shall provide, upon request by the foster parents, information

83 about a child's progress after the child leaves foster care.

84 (2) Except in emergencies, foster parents shall be given two weeks  
85 advance notice and a written statement of the reasons before a child is removed  
86 from their care. When requesting removal of a child from their home, foster  
87 parents shall give two weeks advance notice, consistent with division policy, to  
88 the child's caseworker, except in emergency situations.

89 (3) Recognizing the critical nature of attachment for children, if a child  
90 reenters the foster care system and is not placed in a relative home, the child's  
91 former foster parents shall be given first consideration for placement of the child.

92 (4) If a child becomes free for adoption while in foster care, the child's  
93 foster family shall be given preferential consideration as adoptive parents  
94 consistent with section 453.070.

95 (5) If a foster child becomes free for adoption and the foster parents desire  
96 to adopt the child, they shall inform the caseworker within sixty days of the  
97 caseworker's initial query. If they do not choose to pursue adoption, foster  
98 parents shall make every effort to support and encourage the child's placement  
99 in a permanent home, including but not limited to providing information on the  
100 history and care needs of the child and accommodating transitional visitation.

101 5. Foster parents shall be informed by the court no later than two weeks  
102 prior to all court hearings pertaining to a child in their care, and informed of  
103 their right to attend and participate, consistent with section 211.464.

104 6. The children's division and their contractors shall provide access to a  
105 fair and impartial grievance process to address licensure, case management  
106 decisions, and delivery of service issues. Foster parents shall have timely access  
107 to the child placement agency's appeals process, and shall be free from acts of  
108 retaliation when exercising the right to appeal.

109 7. The children's division and their contractors shall provide training to  
110 foster parents on the policies and procedures governing the licensure of foster  
111 homes, the provision of foster care, and the adoption process. Foster parents  
112 shall, upon request, be provided with written documentation of the policies of the  
113 children's division and their contractors. Per licensure requirements, foster  
114 parents shall comply with the policies of the child placement agency.

115 8. **Foster parents shall have the right to access and review all**  
116 **reports written or produced by a court-appointed special advocate**  
117 **concerning a child in their care.**

118 9. For purposes of this section, "foster parent" means a resource family

119 providing care of children in state custody.

211.171. 1. The procedure to be followed at the hearing shall be  
2 determined by the juvenile court judge and may be as formal or informal as he  
3 or she considers desirable, consistent with constitutional and statutory  
4 requirements. The judge may take testimony and inquire into the habits,  
5 surroundings, conditions and tendencies of the child and the family to enable the  
6 court to render such order or judgment as will best promote the welfare of the  
7 child and carry out the objectives of this chapter.

8 2. The hearing may, in the discretion of the court, proceed in the absence  
9 of the child and may be adjourned from time to time.

10 3. The current foster parents of a child, or any preadoptive parent or  
11 relative currently providing care for the child, shall be provided with notice of,  
12 and an opportunity to be heard in, any hearing to be held with respect to the  
13 child, and a foster parent shall have standing to participate in all court hearings  
14 pertaining to a child in their care. **A foster parent of a child in a juvenile  
15 court case proceeding under subdivisions (1) or (2) of subsection 1 of  
16 section 211.031 shall have the right to intervene as a party. Nothing in  
17 this section shall be construed to authorize the court to join a foster  
18 parent as a party to the case without the foster parent's consent.**

19 4. All cases of children shall be heard separately from the trial of cases  
20 against adults.

21 5. Stenographic notes or an authorized recording of the hearing shall be  
22 required if the court so orders or, if requested by any party interested in the  
23 proceeding.

24 6. The general public shall be excluded and only such persons admitted  
25 as have a direct interest in the case or in the work of the court except in cases  
26 where the child is accused of conduct which, if committed by an adult, would be  
27 considered a class A or B felony; or for conduct which would be considered a class  
28 C felony, if the child has previously been formally adjudicated for the commission  
29 of two or more unrelated acts which would have been class A, B or C felonies, if  
30 committed by an adult.

31 7. The practice and procedure customary in proceedings in equity shall  
32 govern all proceedings in the juvenile court; except that, the court shall not grant  
33 a continuance in such proceedings absent compelling extenuating circumstances,  
34 and in such cases, the court shall make written findings on the record detailing  
35 the specific reasons for granting a continuance.

36           8. The court shall allow the victim of any offense to submit a written  
37 statement to the court. The court shall allow the victim to appear before the  
38 court personally or by counsel for the purpose of making a statement, unless the  
39 court finds that the presence of the victim would not serve justice. The statement  
40 shall relate solely to the facts of the case and any personal injuries or financial  
41 loss incurred by the victim. A member of the immediate family of the victim may  
42 appear personally or by counsel to make a statement if the victim has died or is  
43 otherwise unable to appear as a result of the offense committed by the child.

**484.355. All family and juvenile courts and guardians ad litem  
2 appointed by those courts shall adhere to the following standards, in  
3 addition to those developed by Missouri supreme court rule under  
4 section 484.350:**

5           **(1) The guardian ad litem shall have a duty to notify the court  
6 if his or her case load reaches a level bearing upon his or her ability to  
7 meet these standards or to comply with the ethical standards of the  
8 rules of professional conduction developed by Missouri supreme court  
9 rule;**

10           **(2) The guardian ad litem shall be guided by the best interests  
11 of the child and shall exercise judgment on behalf of the child in all  
12 matters;**

13           **(3) The guardian ad litem shall prove not only factual  
14 information to the court, but shall also diligently advocate a position  
15 in the best interests of the child. He or she shall be prepared to  
16 participate fully in any proceedings and not merely defer to the other  
17 parties. He or she may examine, cross-examine, subpoena witnesses,  
18 and offer testimony. He or she, when appropriate to represent the best  
19 interests of the child, shall file petitions, motions, parenting plans,  
20 responses, or objections. The court shall assure a guardian ad litem  
21 maintains independent representation of the best interests of the  
22 child. The court shall require a guardian ad litem to perform his or her  
23 duties faithfully and, upon failure to do so, shall discharge the  
24 guardian ad litem and appoint another;**

25           **(4) The guardian ad litem and the child shall have access to each  
26 other at reasonable times and places, and this access shall not be  
27 restricted or limited by any agency or person without good cause. To  
28 ensure proper access, the guardian ad litem shall have the obligation  
29 to ascertain the location of the child, to initiate communication with**

30 the child, and to provide the child with contact information for the  
31 guardian ad litem promptly. The child's legal custodian shall provide  
32 the guardian ad litem with timely information regarding the current  
33 residence of the child and shall notify the guardian ad litem promptly  
34 of any change in placement of the child;

35 (5) The guardian ad litem shall be entitled to all reports relevant  
36 to the case and shall have access to all relevant records relating to the  
37 child, the placement of the child, or the child's family members;

38 (6) The guardian ad litem shall comply with all statutes, rules,  
39 and regulations relating to the receipt of confidential or privileged  
40 information received as guardian ad litem. He or she shall not disclose  
41 any confidential or privileged information without a valid court order  
42 or as required by law or supreme court rule;

43 (7) The guardian ad litem shall review the progress of a child's  
44 case through the court process and advocate for timely hearings,  
45 provision of necessary services, and compliance with court orders;

46 (8) The guardian ad litem shall explain, when appropriate, the  
47 court process and the role of the guardian ad litem to the child. The  
48 guardian ad litem shall ensure that the child is informed of the purpose  
49 of each court proceeding;

50 (9) The guardian ad litem shall participate, when appropriate,  
51 in the development and negotiation of any service plans, parenting  
52 plans, proposed orders, and staffings that affect the best interests of  
53 the child as they relate to the case at hand. He or she shall monitor  
54 implementation of service plans and court orders while the case is  
55 pending to determine whether services ordered by the court are being  
56 provided in a timely manner;

57 (10) The guardian ad litem shall appear at all court proceedings  
58 in which he or she is appointed. He or she shall not waive the presence  
59 of the child at court proceedings without good cause;

60 (11) The guardian ad litem in a pending case shall protect the  
61 interests of the child who is a witness in any judicial proceeding in  
62 which he or she has been appointed. In matters for which he or she has  
63 been appointed, the guardian ad litem shall be present during any  
64 conferences between the counsel for a party and the child. He or she  
65 shall be notified of all proceedings or meetings involving the child; and

66 (12) The guardian ad litem shall present a recommendation to

67 the court when authorized by law or requested by the court on the  
68 basis of evidence presented and consistent with the best interests of the  
69 child. During the proceedings, the guardian ad litem shall inform the  
70 court of the child's wishes and preferences even though different from  
71 the guardian ad litem's recommendation.

660.022. The department of social services, with the assistance  
2 of the office of state courts administrator, shall promulgate rules and  
3 regulations pertaining to the role of juvenile officers in child welfare  
4 proceedings. Such rules and regulations shall include a juvenile officer  
5 code of ethics, juvenile officer administrative standards, the juvenile  
6 officer's role in pre-disposition delinquency and status offense  
7 proceedings, the juvenile officer's role in child abuse and neglect  
8 investigations and proceedings, and general practice standards for  
9 juvenile officers. Any rule or portion of a rule, as that term is defined  
10 in section 536.010, that is created under the authority delegated in this  
11 section shall become effective only if it complies with and is subject to  
12 all of the provisions of chapter 536 and, if applicable, section  
13 536.028. This section and chapter 536 are nonseverable and if any of  
14 the powers vested with the general assembly pursuant to chapter 536  
15 to review, to delay the effective date, or to disapprove and annul a rule  
16 are subsequently held unconstitutional, then the grant of rulemaking  
17 authority and any rule proposed or adopted after August 28, 2016, shall  
18 be invalid and void.

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