

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Section A. Sections 37.719, 162.685, 210.565, 210.566, and 211.171, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 37.719, 162.685, 210.564, 210.565, 210.566, 211.171, 484.355, and 660.022, to read as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