

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 653**  
**100TH GENERAL ASSEMBLY**

3423H.05C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 210.112, 210.145, 210.566, 210.790, and 211.171, RSMo, and to enact in lieu thereof eight new sections relating to foster care.

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

Section A. Sections 210.112, 210.145, 210.566, 210.790, and 211.171, RSMo, are  
2 repealed and eight new sections enacted in lieu thereof, to be known as sections 210.112,  
3 210.116, 210.123, 210.145, 210.566, 210.652, 211.135, and 211.171, to read as follows:

210.112. 1. It is the policy of this state and its agencies to implement a foster care and  
2 child protection and welfare system focused on providing the highest quality of services and  
3 outcomes for children and their families. The department of social services shall implement such  
4 system subject to the following principles:

5 (1) The safety and welfare of children is paramount;

6 (2) **All** providers of direct services to children and their families will be evaluated in a  
7 uniform, **transparent, objective**, and consistent basis **based on an evaluation tool established**  
8 **in subsection 3 of this section**;

9 (3) Services to children and their families shall be provided in a timely manner to  
10 maximize the opportunity for successful outcomes, **and such services shall be tracked and**  
11 **routinely evaluated through a quality assurance program**; ~~and~~

12 (4) Any provider of direct services to children and families shall have the appropriate  
13 and relevant training, education, and expertise to provide the highest quality of services possible  
14 which shall be consistent with ~~the~~ federal **and state** standards~~, but not less than the standards~~  
15 ~~and policies used by the children's division as of January 1, 2004~~ ;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           **(5) Resources and efforts shall be committed to pursue the best possible**  
17 **opportunity for a successful outcome for each child. Successful outcomes may include**  
18 **preparing youth for a productive and successful life as an adult outside the foster care**  
19 **system, such as independent living. For those providers that work with children requiring**  
20 **intensive twenty-four-hour treatment services, successful outcomes shall be based on the**  
21 **least restrictive alternative possible based on the child's needs as well as the quality of care**  
22 **received; and**

23           **(6) All service providers shall prioritize methods of reducing or eliminating a**  
24 **child's need for residential treatment through community-based services and supports.**

25           **2. (1) In conjunction with the response and evaluation team established under**  
26 **subsection 3 of this section, as well as other individuals the division deems appropriate, the**  
27 **division shall establish an evaluation tool that complies with state and federal guidelines.**

28           **(2) The evaluation tool shall include metrics supporting best practices for case**  
29 **management and service provision including, but not limited to, the frequency of face-to-**  
30 **face visits with the child.**

31           **(3) There shall be a mechanism whereby providers may propose different**  
32 **evaluation metrics on a case-by-case basis if such case may have circumstances far beyond**  
33 **those that would be expected. Such cases shall be evaluated by the response and evaluation**  
34 **team under subsection 3 of this section.**

35           **(4) Data regarding all evaluation metrics shall be collected by the division on a**  
36 **monthly basis, and the division shall issue a quarterly report regarding the evaluation data**  
37 **for each provider, both public and private, by county. The response and evaluation team**  
38 **shall determine how to aggregate cases for the division and large contractors so that**  
39 **performance and outcomes may be compared effectively while also protecting**  
40 **confidentiality. Such reports shall be made public and shall include information by**  
41 **county.**

42           **(5) The standards and metrics developed through this evaluation tool shall be used**  
43 **to evaluate competitive bids for future contracts established under subsection 4 of this**  
44 **section.**

45           **3. The division shall create a response and evaluation team. Membership of the**  
46 **team shall be composed of five staff members from the division with experience in foster**  
47 **care appointed by the director of the division; five representatives, one from each contract**  
48 **region for foster care case management contracts under subsection 5 of this section, who**  
49 **shall be annually rotated among contractors in each region, which shall appoint the**  
50 **agency; two experts working in either research or higher education on issues relating to**  
51 **child welfare and foster care appointed by the director of the division and who shall be**

52 **actively working for either an academic institution or policy foundation; one juvenile**  
53 **officer or a Missouri juvenile justice director to be appointed by the Missouri juvenile**  
54 **justice association; and one juvenile or family court judge appointed by the supreme court.**  
55 **The division shall provide the necessary staffing for the team's operations. All members**  
56 **shall be appointed, and the team shall meet for the first time before January 1, 2021. The**  
57 **team shall:**

58 **(1) Review the evaluation tool and metrics set forth in subsection 2 of this section**  
59 **on a semiannual basis to determine any adjustments needed or issues that could affect the**  
60 **quality of such tools and approve or deny on a case-by-case basis:**

61 **(a) Cases that a provider feels are anomalous and should not be part of developing**  
62 **the case management tool under subsection 2 of this section;**

63 **(b) Alternative evaluation metrics recommended by providers based on the best**  
64 **interests of the child under subsections 2 and 5 of this section; or**

65 **(c) Review and recommend any structure for incentives or other reimbursement**  
66 **strategies under subsection 6 of this section;**

67 **(2) Develop and execute periodic provider evaluations of cases managed by the**  
68 **division and children service providers contracted with the state to provide foster care case**  
69 **management services, in the field under the evaluation tool created under subsection 2 of**  
70 **this section to ensure basic requirements of the program are met, which shall include, but**  
71 **are not limited to, random file review to ensure documentation shows required visits and**  
72 **case management plan notes; and**

73 **(3) Develop a system for reviewing and working with providers identified under**  
74 **subdivision (2) of this subsection or providers who request such assistance from the**  
75 **division, who show signs of performance weakness to ensure technical assistance and other**  
76 **services are offered to assist the providers in achieving successful outcomes for their cases.**

77 **4. ~~[On or before July 1, 2005, and subject to appropriations,]~~ The children's division and**  
78 **any other state agency deemed necessary by the division shall, in consultation with ~~the~~**  
79 **~~community and~~ service providers ~~[of services]~~ and other relevant parties, enter into and**  
80 **implement contracts with qualified children's services providers and agencies to provide a**  
81 **comprehensive and deliberate system of service delivery for children and their families.**  
82 **Contracts shall be awarded through a competitive process and provided by ~~children's services~~**  
83 **~~providers and agencies currently contracting with the state to provide such services and by]~~**  
84 **qualified public and private not-for-profit or limited liability corporations owned exclusively**  
85 **by not-for-profit corporations children's services providers and agencies which have:**

86 (1) A proven record of providing child welfare services within the state of Missouri  
87 which shall be consistent with the federal standards, but not less than the standards and policies  
88 used by the children's division as of January 1, 2004; and

89 (2) The ability to provide a range of child welfare services~~[-, which may include]~~  
90 **including, but not limited to**, case management services, family-centered services, foster and  
91 adoptive parent recruitment and retention, residential care, in-home services, foster care services,  
92 adoption services, relative care case management, planned permanent living services, and family  
93 reunification services.

94

95 No contracts **under this section** shall be issued for services related to the child abuse and neglect  
96 hotline, investigations of alleged abuse and neglect, and initial family assessments. Any  
97 contracts entered into by the division shall be in accordance with all federal laws and regulations,  
98 and shall ~~[not result in the loss of]~~ **seek to maximize** federal funding. ~~[Such]~~ Children's services  
99 providers and agencies under contract with the division shall be subject to all federal, state, and  
100 local laws and regulations relating to the provision of such services, and shall be subject to  
101 oversight and inspection by appropriate state agencies to assure compliance with standards which  
102 shall be consistent with the federal standards~~[-, but not less than the standards and policies used~~  
103 ~~by the children's division as of January 1, 2004.~~

104 ~~3. In entering into and implementing contracts under subsection 2 of this section, the~~  
105 ~~division shall consider and direct their efforts towards geographic areas of the state, including~~  
106 ~~Greene County, where eligible direct children's services providers and agencies are currently~~  
107 ~~available and capable of providing a broad range of services, including case management~~  
108 ~~services, family-centered services, foster and adoptive parent recruitment and retention,~~  
109 ~~residential care, family preservation services, foster care services, adoption services, relative care~~  
110 ~~case management, other planned living arrangements, and family reunification services~~  
111 ~~consistent with federal guidelines. Nothing in this subsection shall prohibit the division from~~  
112 ~~contracting on an as-needed basis for any individual child welfare service listed above.~~

113 ~~4. The contracts entered into under this section shall assure that:~~

114 ~~(1) Child welfare services shall be delivered to a child and the child's family by~~  
115 ~~professionals who have substantial and relevant training, education, or competencies otherwise~~  
116 ~~demonstrated in the area of children and family services;~~

117 ~~(2) Children's services providers and agencies shall be evaluated by the division based~~  
118 ~~on objective, consistent, and performance-based criteria;~~

119 ~~(3) Any case management services provided shall be subject to a case management plan~~  
120 ~~established under subsection 5 of this section which is consistent with all relevant federal~~  
121 ~~guidelines. The case management plan shall focus on attaining permanency in children's living~~

~~122 conditions to the greatest extent possible and shall include concurrent planning and independent  
123 living where appropriate in accordance with the best interests of each child served and  
124 considering relevant factors applicable to each individual case as provided by law, including:~~

~~125 — (a) The interaction and interrelationship of a child with the child's foster parents,  
126 biological or adoptive parents, siblings, and any other person who may significantly affect the  
127 child's best interests;~~

~~128 — (b) A child's adjustment to his or her foster home, school, and community;~~

~~129 — (c) The mental and physical health of all individuals involved, including any history of  
130 abuse of or by any individuals involved;~~

~~131 — (d) The needs of the child for a continuing relationship with the child's biological or  
132 adoptive parents and the ability and willingness of the child's biological or adoptive parents to  
133 actively perform their functions as parents with regard to the needs of the child; and~~

~~134 — (e) For any child, treatment services may be available as defined in section 210.110.  
135 Assessments, as defined in section 210.110, may occur to determine which treatment services  
136 best meet the child's psychological and social needs. When the assessment indicates that a  
137 child's needs can be best resolved by intensive twenty-four-hour treatment services, the division  
138 will locate, contract, and place the child with the appropriate organizations. This placement will  
139 be viewed as the least restrictive for the child based on the assessment;~~

~~140 — (4) The delivery system shall have sufficient flexibility to take into account children and  
141 families on a case-by-case basis;~~

~~142 — (5) The delivery system shall provide a mechanism for the assessment of strategies to  
143 work with children and families immediately upon entry into the system to maximize  
144 permanency and successful outcome in the shortest time possible and shall include concurrent  
145 planning. Outcome measures for private and public agencies shall be equal for each program;  
146 and~~

~~147 — (6) Payment to the children's services providers and agencies shall be made based on the  
148 reasonable costs of services, including responsibilities necessary to execute the contract.  
149 Contracts shall provide incentives in addition to the costs of services provided in recognition of  
150 accomplishment of the case goals and the corresponding cost savings to the state. The division  
151 shall promulgate rules to implement the provisions of this subdivision.~~

~~152 — 5. Contracts entered into under this section shall require that a case management plan  
153 consistent with all relevant federal guidelines shall be developed for each child at the earliest  
154 time after the initial investigation, but in no event longer than thirty days after the initial  
155 investigation or referral to the contractor by the division. Such case management plan shall be  
156 presented to the court and be the foundation of service delivery to the child and family. The case  
157 management plan shall, at a minimum, include:~~

- 158 ~~—— (1) An outcome target based on the child and family situation achieving permanency or~~  
159 ~~independent living, where appropriate;~~  
160 ~~—— (2) Services authorized and necessary to facilitate the outcome target;~~  
161 ~~—— (3) Time frames in which services will be delivered; and~~  
162 ~~—— (4) Necessary evaluations and reporting.~~

163 —

164 ~~In addition to any visits and assessments required under case management, services to be~~  
165 ~~provided by a public or private children's services provider under the specific case management~~  
166 ~~plan may include family-centered services, foster and adoptive parent recruitment and retention,~~  
167 ~~residential care, in-home services, foster care services, adoption services, relative care case~~  
168 ~~services, planned permanent living services, and family reunification services. In all cases, an~~  
169 ~~appropriate level of services shall be provided to the child and family after permanency is~~  
170 ~~achieved to assure a continued successful outcome.~~

171 ~~—— 6. By December 1, 2018, the division shall convene a task force to review the~~  
172 ~~recruitment, licensing and retention of foster and adoptive parents statewide. In addition to~~  
173 ~~representatives of the division and department, the task force shall include representatives of the~~  
174 ~~private sector and faith-based community which provide recruitment and licensure services. The~~  
175 ~~purpose of the task force shall and will be to study the extent to which changes in the system of~~  
176 ~~recruiting, licensing, and retaining foster and adoptive parents would enhance the effectiveness~~  
177 ~~of the system statewide. The task force shall develop a report of its findings with~~  
178 ~~recommendations by December 1, 2019, and provide copies of the report to the general~~  
179 ~~assembly, to the joint committee on child abuse and neglect under section 21.771, and to the~~  
180 ~~governor.~~

181 ~~—— 7. On or before July 15, 2006, and each July fifteenth thereafter that the project is in~~  
182 ~~operation, the division shall submit a report to the general assembly which shall include:~~

183 ~~—— (1) Details about the specifics of the contracts, including the number of children and~~  
184 ~~families served, the cost to the state for contracting such services, the current status of the~~  
185 ~~children and families served, an assessment of the quality of services provided and outcomes~~  
186 ~~achieved, and an overall evaluation of the project; and~~

187 ~~—— (2) Any recommendations regarding the continuation or possible statewide~~  
188 ~~implementation of such project; and~~

189 ~~—— (3) Any information or recommendations directly related to the provision of direct~~  
190 ~~services for children and their families that any of the contracting children's services providers~~  
191 ~~"and agencies request to have included in the report].~~

192 [8.] 5. The division shall accept as prima facie evidence of completion of the  
193 requirements for licensure under sections 210.481 to 210.511 proof that an agency is accredited

194 by any of the following nationally recognized bodies: the Council on Accreditation of Services,  
195 Children and Families, Inc.; the Joint Commission on Accreditation of Hospitals; or the  
196 Commission on Accreditation of Rehabilitation Facilities. ~~[The division shall not require any  
197 further evidence of qualification for licensure if such proof of voluntary accreditation is  
198 submitted.]~~

199 **6. Payment to the children's services providers and agencies shall be made based**  
200 **on the reasonable costs of services, including responsibilities necessary to execute the**  
201 **contract. Any reimbursement increases made through enhanced appropriations for**  
202 **services shall be allocated to providers regardless of whether the provider is public or**  
203 **private. Such increases shall be considered additive to the existing contracts. In addition**  
204 **to payments reflecting the cost of services, contracts shall include incentives provided in**  
205 **recognition of performance based on the evaluation tool created under subsection 2 of this**  
206 **section and the corresponding savings for the state. The response and evaluation team**  
207 **under subsection 3 of this section shall review a formula to distribute such payments, as**  
208 **recommended by the division.**

209 **7. The division shall consider immediate actions that are in the best interests of the**  
210 **children served including, but not limited to, placing the agency on a corrective plan,**  
211 **halting new referrals, transferring cases to other performing providers, or terminating the**  
212 **provider's contract. The division shall take steps necessary to evaluate the nature of the**  
213 **issue and act accordingly in the most timely fashion possible.**

214 ~~[9.]~~ **8. By [February 1, 2005] July 1, 2021,** the children's division shall promulgate and  
215 have in effect rules to implement the provisions of this section and, pursuant to this section, shall  
216 define implementation plans and dates. Any rule or portion of a rule, as that term is defined in  
217 section 536.010, that is created under the authority delegated in this section shall become  
218 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
219 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the  
220 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
221 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
222 rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid  
223 and void.

**210.116. The division may share any records, information, and findings with**  
2 **federal, state, or local child welfare agency personnel and law enforcement agencies,**  
3 **including those from outside the state, or any agent of such agencies, in the performance**  
4 **of the division's duties, upon a reasonable belief that such information is needed to protect**  
5 **a child from abuse or neglect or to assist such agency in providing child welfare services.**  
6 **Such information may include, but is not limited to, substantiated or unsubstantiated**

7 reports of abuse or neglect, family assessments, and any other documents or information  
8 the division deems necessary for another agency to have access to in order to protect a  
9 child. Identifying information may be shared only if the children's division reasonably  
10 believes the receiving entity will prevent the unauthorized dissemination of the information  
11 contained therein.

210.123. 1. As used in this section, the following terms and phrases mean:

2 (1) "Relative", as that term is defined in section 210.565. Such relative shall be an  
3 adult;

4 (2) "Temporary alternative placement agreement", a voluntary agreement  
5 between the division, a relative of the child, and the parent or guardian of the child to  
6 provide a temporary, out of home placement for a child if the parent or guardian is  
7 temporarily unable to provide care or support for the child and the child is not in  
8 imminent danger of death or serious bodily injury, or being sexually abused such that the  
9 division determines that a referral to the juvenile office with a recommendation to file a  
10 petition or to remove the child is not appropriate. The agreement shall be reduced to  
11 writing within three business days. The written agreement shall be signed by the parent  
12 or guardian, the relative, and the authorized representative of the division. A temporary  
13 alternative placement agreement shall be valid for no more than ninety days. If the  
14 agreement shall be extended beyond ninety days, then, before the expiration of the ninety-  
15 day period, the division shall send a referral to the juvenile officer to make a determination  
16 whether to file a petition, to set the matter for a preliminary child welfare hearing, or to  
17 take other appropriate action as the juvenile officer deems necessary. The temporary  
18 alternative placement agreement shall include:

19 (a) A plan for return of the child to the child's parent or legal guardian within the  
20 time specified under the agreement, or diligent implementation of an alternative, legal  
21 arrangement for the safe care, custody, and control of the child including, but not limited  
22 to, execution of a power of attorney under section 475.602, an affidavit for relative  
23 caretaker under section 431.058, legal guardianship, the entry of an order of child  
24 protection, or entry of temporary or permanent legal custody arrangements by a court of  
25 competent jurisdiction;

26 (b) A requirement that the parties cooperate with the division and participate in all  
27 services offered by the division;

28 (c) A notice to all parties that the division will notify the juvenile officer that a  
29 temporary alternative placement agreement has been implemented, that a copy of the  
30 agreement will be provided to the juvenile officer, that the temporary alternative  
31 placement agreement is not binding on the juvenile officer, and the division retains the



32 **authority to refer the case to the juvenile officer with a recommendation for further action**  
33 **at any time;**

34 **(d) Identifying the behaviorally specific changes that the parent or guardian of the**  
35 **child shall make to ensure that the child's safety and welfare can be assured before the**  
36 **child is returned to the home;**

37 **(e) Identifying the services that the division shall offer the parents and the child to**  
38 **address the reasons the child is being placed out of the home;**

39 **(f) Requiring that the child reside in the state of Missouri for the duration of the**  
40 **agreement; and**

41 **(g) That the agreement is voluntary and that the parent or guardian may withdraw**  
42 **from the agreement upon five days' written notice.**

43 **2. As provided in this section, the division may enter into a temporary alternative**  
44 **placement agreement with parents and legal guardians of a minor child who cannot safely**  
45 **remain in the child's home on a temporary basis. The purpose of such agreement is to**  
46 **mitigate trauma to the child and to enable the division to make reasonable efforts to assure**  
47 **the safety of a child in a placement familiar to the child, and to give the child and the**  
48 **child's family an opportunity to develop and implement a plan to assure the stability and**  
49 **well-being of the child in the short term. The child shall reside in the state of Missouri for**  
50 **the duration of the temporary alternative placement agreement unless the child requires**  
51 **medical treatment in another state that is not reasonably available within the state of**  
52 **Missouri.**

53 **3. (1) The division shall conduct a walk-through of the relative's home where the**  
54 **child will be staying and conduct a background check of the relative and any adult**  
55 **household member before determining whether the relative is suitable.**

56 **(2) The background check shall include a check of the central registry, the sexual offender**  
57 **registry, the department of social services's family care safety registry, any state courts**  
58 **automated case management system, and the records of the division to determine if**  
59 **circumstances exist that indicate the child shall not be safe if placed in the home. The**  
60 **division may, in its discretion, follow up with a fingerprint based criminal background**  
61 **check.**

62 **(3) The suitable relative shall be a resident of the state of Missouri and shall remain**  
63 **a resident of the state of Missouri for the duration of the agreement.**

64 **4. (1) The division may only enter into a temporary alternative placement**  
65 **agreement if:**

66 **(a) The child cannot remain safely in the home of the child's parent or legal**  
67 **guardian;**

68           **(b) It is not apparent that the child is otherwise in imminent danger of death,**  
69 **serious physical injury, or being sexually abused such that an immediate referral to the**  
70 **juvenile officer with a recommendation to remove the child and initiate juvenile court**  
71 **proceedings is appropriate;**

72           **(c) There is a relative who is ready, willing, and able to provide safe care for the**  
73 **child on a temporary basis;**

74           **(d) The division has reasonably available services for the child and family to**  
75 **support and supervise the implementation of the agreement;**

76           **(e) The child's parent or legal guardian voluntarily enters into the agreement; and**

77           **(f) The child's parent or legal guardian executes all necessary documents and**  
78 **consents to implement the agreement.**

79           **(2) The fact that the parent or legal guardian has been advised that the division or**  
80 **juvenile officer may take additional action within his or her authority under law shall not**  
81 **constitute a basis for claiming that the parent or legal guardian's agreement is not**  
82 **voluntary or was coerced.**

83           **(3) The parent or guardian shall give at least five days' written notice of intent to**  
84 **terminate the agreement to the division and the relative placement provider. The**  
85 **agreement shall remain in effect until the termination of the agreement is effective.**

86           **5. (1) The relative shall have the authority to make the day-to-day decisions for the**  
87 **care of the child during the agreement as provided in the agreement and shall further have**  
88 **the authority to make educational and medical decisions for the child as provided in this**  
89 **section.**

90           **(2) The relative shall not have the authority to authorize end-of-life care, authorize**  
91 **the child to have an abortion, or initiate treatment for gender dysphoria.**

92           **(3) The relative shall consult with the child's parents, legal guardian, and the**  
93 **division before making decisions pertaining to the child other than routine, day-to-day**  
94 **decisions necessary to care for the child.**

95           **(4) The division shall provide a notice to the relative on a form promulgated by the**  
96 **division for use in notifying schools, medical care providers, and others that the suitable**  
97 **relative or adult has the temporary authority to make these decisions. Individuals and**  
98 **institutions, including schools and medical care providers, acting upon the authority of**  
99 **such notice shall be immune from liability for acting upon the authority as set forth in the**  
100 **letter.**

101           **6. (1) The division shall closely monitor, track, and document the implementation**  
102 **of the provisions of the temporary alternative placement agreement for the duration of the**  
103 **agreement.**

104           (2) The division shall have personal contact with the child as may be appropriate  
105 to ensure that the temporary alternative placement agreement is being safely implemented,  
106 but in no event less than two times each month. At least one personal contact with the child  
107 shall be in the child's alternative placement.

108           (3) The division shall schedule a team decision making meeting within ten days of  
109 the execution of a temporary alternative placement agreement and at least once every  
110 month thereafter for the duration of the agreement.

111           (4) Within ten days of the execution of a temporary alternative placement  
112 agreement, the division shall open a family centered services case and keep the case open  
113 for the duration of the agreement.

114           (5) No later than ten days before the termination of the temporary alternative  
115 placement agreement, the division shall submit a written report to the juvenile office. The  
116 divisions shall provide a copy of the report to the placement provider and the child's  
117 parent or guardian. The report shall include a copy of the agreement, a specific description  
118 of the steps taken to complete the agreement, and a recommendation to the juvenile officer  
119 about whether further action may be necessary.

120           7. If the parent or guardian does not agree to the temporary alternative placement  
121 agreement, the division shall refer the matter to the juvenile officer for appropriate action  
122 as determined by the juvenile officer.

123           8. All parties to the temporary alternative care agreement shall exercise diligent  
124 efforts to implement the agreement. The suitable adult or suitable relative and the parents  
125 or guardians shall fully cooperate with the division.

126           9. If the division determines that the goals of the temporary alternative placement  
127 agreement are not accomplished within the time period specified in the agreement and the  
128 safety or wellbeing of the child cannot be assured if the child were to return home, the  
129 division shall refer the case to the juvenile officer.

130           10. A temporary alternative placement agreement may be executed in conjunction  
131 with the informal adjustment process through the juvenile office.

132           11. The juvenile officer shall not be bound by the terms of a temporary alternative  
133 placement agreement, unless the juvenile officer is a signatory to the agreement, and the  
134 juvenile officer may exercise discretion to take appropriate action within the juvenile  
135 officer's authority under law. However, the juvenile officer shall take into consideration  
136 the provisions of and the implementation of the agreement when taking action under such  
137 authority.

138           12. The division shall promulgate regulations to implement the provisions of this  
139 section. This section shall not be effective until the regulations are promulgated.

210.145. 1. The division shall develop protocols which give priority to:

2 (1) Ensuring the well-being and safety of the child in instances where child abuse or  
3 neglect has been alleged;

4 (2) Promoting the preservation and reunification of children and families consistent with  
5 state and federal law;

6 (3) Providing due process for those accused of child abuse or neglect; and

7 (4) Maintaining an information system operating at all times, capable of receiving and  
8 maintaining reports. This information system shall have the ability to receive reports over a  
9 single, statewide toll-free number. Such information system shall maintain the results of all  
10 investigations, family assessments and services, and other relevant information.

11 2. **(1)** The division shall utilize structured decision-making protocols, **including a**  
12 **standard risk assessment that shall be completed within seventy-two hours of the report**  
13 **of abuse or neglect**, for classification purposes of all child abuse and neglect reports. The  
14 protocols developed by the division shall give priority to ensuring the well-being and safety of  
15 the child. All child abuse and neglect reports shall be initiated within twenty-four hours and  
16 shall be classified based upon the reported risk and injury to the child. The division shall  
17 promulgate rules regarding the structured decision-making protocols to be utilized for all child  
18 abuse and neglect reports.

19 **(2) The director of the division and the office of state courts administrator shall**  
20 **develop a joint safety assessment tool before December 31, 2020, and such tool shall be**  
21 **implemented before January 1, 2022. The safety assessment tool shall replace the standard**  
22 **risk assessment required under subdivision (1) of this subsection.**

23 3. Upon receipt of a report, the division shall determine if the report merits investigation,  
24 including reports which if true would constitute a suspected violation of any of the following:  
25 section 565.020, 565.021, 565.023, 565.024, or 565.050 if the victim is a child less than eighteen  
26 years of age, section 566.030 or 566.060 if the victim is a child less than eighteen years of age,  
27 or other crimes under chapter 566 if the victim is a child less than eighteen years of age and the  
28 perpetrator is twenty-one years of age or older, section 567.050 if the victim is a child less than  
29 eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 573.200, or  
30 573.205, section 573.025, 573.035, 573.037, or 573.040, or an attempt to commit any such  
31 crimes. The division shall immediately communicate all reports that merit investigation to its  
32 appropriate local office and any relevant information as may be contained in the information  
33 system. The local division staff shall determine, through the use of protocols developed by the  
34 division, whether an investigation or the family assessment and services approach should be used  
35 to respond to the allegation. The protocols developed by the division shall give priority to  
36 ensuring the well-being and safety of the child.

37           4. The division may accept a report for investigation or family assessment if either the  
38 child or alleged perpetrator resides in Missouri, may be found in Missouri, or if the incident  
39 occurred in Missouri.

40           5. If the division receives a report in which neither the child nor the alleged perpetrator  
41 resides in Missouri or may be found in Missouri and the incident did not occur in Missouri, the  
42 division shall document the report and communicate it to the appropriate agency or agencies in  
43 the state where the child is believed to be located, along with any relevant information or records  
44 as may be contained in the division's information system.

45           6. When the child abuse and neglect hotline receives three or more calls, within a  
46 seventy-two hour period, from one or more individuals concerning the same child, the division  
47 shall conduct a review to determine whether the calls meet the criteria and statutory definition  
48 for a child abuse and neglect report to be accepted. In conducting the review, the division shall  
49 contact the hotline caller or callers in order to collect information to determine whether the calls  
50 meet the criteria for harassment.

51           7. The local office shall contact the appropriate law enforcement agency immediately  
52 upon receipt of a report which division personnel determine merits an investigation and provide  
53 such agency with a detailed description of the report received. In such cases the local division  
54 office shall request the assistance of the local law enforcement agency in all aspects of the  
55 investigation of the complaint. The appropriate law enforcement agency shall either assist the  
56 division in the investigation or provide the division, within twenty-four hours, an explanation  
57 in writing detailing the reasons why it is unable to assist.

58           8. The local office of the division shall cause an investigation or family assessment and  
59 services approach to be initiated in accordance with the protocols established in subsection 2 of  
60 this section, except in cases where the sole basis for the report is educational neglect. If the  
61 report indicates that educational neglect is the only complaint and there is no suspicion of other  
62 neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the  
63 report. If the report indicates the child is in danger of serious physical harm or threat to life, an  
64 investigation shall include direct observation of the subject child within twenty-four hours of the  
65 receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct  
66 observation. Callers to the child abuse and neglect hotline shall be instructed by the division's  
67 hotline to call 911 in instances where the child may be in immediate danger. If the parents of the  
68 child are not the alleged perpetrators, a parent of the child must be notified prior to the child  
69 being interviewed by the division. No person responding to or investigating a child abuse and  
70 neglect report shall call prior to a home visit or leave any documentation of any attempted visit,  
71 such as business cards, pamphlets, or other similar identifying information if he or she has a  
72 reasonable basis to believe the following factors are present:

- 73 (1) (a) No person is present in the home at the time of the home visit; and  
74 (b) The alleged perpetrator resides in the home or the physical safety of the child may  
75 be compromised if the alleged perpetrator becomes aware of the attempted visit;  
76 (2) The alleged perpetrator will be alerted regarding the attempted visit; or  
77 (3) The family has a history of domestic violence or fleeing the community.

78

79 If the alleged perpetrator is present during a visit by the person responding to or investigating the  
80 report, such person shall provide written material to the alleged perpetrator informing him or her  
81 of his or her rights regarding such visit, including but not limited to the right to contact an  
82 attorney. The alleged perpetrator shall be given a reasonable amount of time to read such written  
83 material or have such material read to him or her by the case worker before the visit commences,  
84 but in no event shall such time exceed five minutes; except that, such requirement to provide  
85 written material and reasonable time to read such material shall not apply in cases where the  
86 child faces an immediate threat or danger, or the person responding to or investigating the report  
87 is or feels threatened or in danger of physical harm. If the abuse is alleged to have occurred in  
88 a school or child care facility the division shall not meet with the child in any school building  
89 or child-care facility building where abuse of such child is alleged to have occurred. When the  
90 child is reported absent from the residence, the location and the well-being of the child shall be  
91 verified. For purposes of this subsection, "child care facility" shall have the same meaning as  
92 such term is defined in section 210.201.

93 9. The director of the division shall name at least one chief investigator for each local  
94 division office, who shall direct the division response on any case involving a second or  
95 subsequent incident regarding the same subject child or perpetrator. The duties of a chief  
96 investigator shall include verification of direct observation of the subject child by the division  
97 and shall ensure information regarding the status of an investigation is provided to the public  
98 school district liaison. The public school district liaison shall develop protocol in conjunction  
99 with the chief investigator to ensure information regarding an investigation is shared with  
100 appropriate school personnel. The superintendent of each school district shall designate a  
101 specific person or persons to act as the public school district liaison. Should the subject child  
102 attend a nonpublic school the chief investigator shall notify the school principal of the  
103 investigation. Upon notification of an investigation, all information received by the public  
104 school district liaison or the school shall be subject to the provisions of the federal Family  
105 Educational Rights and Privacy Act (FERPA), 20 U.S.C. Section 1232g, and federal rule 34  
106 C.F.R. Part 99.

107 10. The investigation shall include but not be limited to the nature, extent, and cause of  
108 the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the

109 names and conditions of other children in the home, if any; the home environment and the  
110 relationship of the subject child to the parents or other persons responsible for the child's care;  
111 any indication of incidents of physical violence against any other household or family member;  
112 and other pertinent data.

113 11. When a report has been made by a person required to report under section 210.115,  
114 the division shall contact the person who made such report within forty-eight hours of the receipt  
115 of the report in order to ensure that full information has been received and to obtain any  
116 additional information or medical records, or both, that may be pertinent.

117 12. Upon completion of the investigation, if the division suspects that the report was  
118 made maliciously or for the purpose of harassment, the division shall refer the report and any  
119 evidence of malice or harassment to the local prosecuting or circuit attorney.

120 13. Multidisciplinary teams shall be used whenever conducting the investigation as  
121 determined by the division in conjunction with local law enforcement. Multidisciplinary teams  
122 shall be used in providing protective or preventive social services, including the services of law  
123 enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and  
124 other agencies, both public and private.

125 14. For all family support team meetings involving an alleged victim of child abuse or  
126 neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian  
127 of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be  
128 provided notice and be permitted to attend all such meetings. Family members, other than  
129 alleged perpetrators, or other community informal or formal service providers that provide  
130 significant support to the child and other individuals may also be invited at the discretion of the  
131 parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian  
132 or custodian and the foster parents may request that other individuals, other than alleged  
133 perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or  
134 attends such team meetings, the division or the convenor of the meeting shall provide such  
135 persons with notice of all such subsequent meetings involving the child. Families may determine  
136 whether individuals invited at their discretion shall continue to be invited.

137 15. If the appropriate local division personnel determine after an investigation has begun  
138 that completing an investigation is not appropriate, the division shall conduct a family  
139 assessment and services approach. The division shall provide written notification to local law  
140 enforcement prior to terminating any investigative process. The reason for the termination of  
141 the investigative process shall be documented in the record of the division and the written  
142 notification submitted to local law enforcement. Such notification shall not preclude nor prevent  
143 any investigation by law enforcement.

144           16. If the appropriate local division personnel determines to use a family assessment and  
145 services approach, the division shall:

146           (1) Assess any service needs of the family. The assessment of risk and service needs  
147 shall be based on information gathered from the family and other sources;

148           (2) Provide services which are voluntary and time-limited unless it is determined by the  
149 division based on the assessment of risk that there will be a high risk of abuse or neglect if the  
150 family refuses to accept the services. The division shall identify services for families where it  
151 is determined that the child is at high risk of future abuse or neglect. The division shall  
152 thoroughly document in the record its attempt to provide voluntary services and the reasons these  
153 services are important to reduce the risk of future abuse or neglect to the child. If the family  
154 continues to refuse voluntary services or the child needs to be protected, the division may  
155 commence an investigation;

156           (3) Commence an immediate investigation if at any time during the family assessment  
157 and services approach the division determines that an investigation, as delineated in sections  
158 210.109 to 210.183, is required. The division staff who have conducted the assessment may  
159 remain involved in the provision of services to the child and family;

160           (4) Document at the time the case is closed, the outcome of the family assessment and  
161 services approach, any service provided and the removal of risk to the child, if it existed.

162           17. (1) Within forty-five days of an oral report of abuse or neglect, the local office shall  
163 update the information in the information system. The information system shall contain, at a  
164 minimum, the determination made by the division as a result of the investigation, identifying  
165 information on the subjects of the report, those responsible for the care of the subject child and  
166 other relevant dispositional information. The division shall complete all investigations within  
167 forty-five days, unless good cause for the failure to complete the investigation is specifically  
168 documented in the information system. Good cause for failure to complete an investigation shall  
169 include, but not be limited to:

170           (a) The necessity to obtain relevant reports of medical providers, medical examiners,  
171 psychological testing, law enforcement agencies, forensic testing, and analysis of relevant  
172 evidence by third parties which has not been completed and provided to the division;

173           (b) The attorney general or the prosecuting or circuit attorney of the city or county in  
174 which a criminal investigation is pending certifies in writing to the division that there is a  
175 pending criminal investigation of the incident under investigation by the division and the issuing  
176 of a decision by the division will adversely impact the progress of the investigation; or

177           (c) The child victim, the subject of the investigation or another witness with information  
178 relevant to the investigation is unable or temporarily unwilling to provide complete information



179 within the specified time frames due to illness, injury, unavailability, mental capacity, age,  
180 developmental disability, or other cause.

181

182 The division shall document any such reasons for failure to complete the investigation.

183 (2) If a child fatality or near-fatality is involved in a report of abuse or neglect, the  
184 investigation shall remain open until the division's investigation surrounding such death or  
185 near-fatal injury is completed.

186 (3) If the investigation is not completed within forty-five days, the information system  
187 shall be updated at regular intervals and upon the completion of the investigation, which shall  
188 be completed no later than ninety days after receipt of a report of abuse or neglect, or one  
189 hundred twenty days after receipt of a report of abuse or neglect involving sexual abuse, or until  
190 the division's investigation is complete in cases involving a child fatality or near-fatality. The  
191 information in the information system shall be updated to reflect any subsequent findings,  
192 including any changes to the findings based on an administrative or judicial hearing on the  
193 matter.

194 18. A person required to report under section 210.115 to the division and any person  
195 making a report of child abuse or neglect made to the division which is not made anonymously  
196 shall be informed by the division of his or her right to obtain information concerning the  
197 disposition of his or her report. Such person shall receive, from the local office, if requested,  
198 information on the general disposition of his or her report. Such person may receive, if  
199 requested, findings and information concerning the case. Such release of information shall be  
200 at the discretion of the director based upon a review of the reporter's ability to assist in protecting  
201 the child or the potential harm to the child or other children within the family. The local office  
202 shall respond to the request within forty-five days. The findings shall be made available to the  
203 reporter within five days of the outcome of the investigation. If the report is determined to be  
204 unsubstantiated, the reporter may request that the report be referred by the division to the office  
205 of child advocate for children's protection and services established in sections 37.700 to 37.730.  
206 Upon request by a reporter under this subsection, the division shall refer an unsubstantiated  
207 report of child abuse or neglect to the office of child advocate for children's protection and  
208 services.

209 19. The division shall provide to any individual who is not satisfied with the results of  
210 an investigation information about the office of child advocate and the services it may provide  
211 under sections 37.700 to 37.730.

212 20. In any judicial proceeding involving the custody of a child the fact that a report may  
213 have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:

214 (1) Nothing in this subsection shall prohibit the introduction of evidence from  
215 independent sources to support the allegations that may have caused a report to have been made;  
216 and

217 (2) The court may on its own motion, or shall if requested by a party to the proceeding,  
218 make an inquiry not on the record with the children's division to determine if such a report has  
219 been made.

220

221 If a report has been made, the court may stay the custody proceeding until the children's division  
222 completes its investigation.

223 21. Nothing in this chapter shall be construed to prohibit the children's division from  
224 investigating a report of child abuse or neglect or sharing records and information with child  
225 welfare, law enforcement, or judicial officers of another state, territory, or nation if the children's  
226 division determines it is appropriate to do so under the standard set forth in subsection 4 of  
227 section 210.150 and if such receiving agency is exercising its authority under the law.

228 22. In any judicial proceeding involving the custody of a child where the court  
229 determines that the child is in need of services under paragraph (d) of subdivision (1) of  
230 subsection 1 of section 211.031 and has taken jurisdiction, the child's parent, guardian or  
231 custodian shall not be entered into the registry.

232 23. The children's division is hereby granted the authority to promulgate rules and  
233 regulations pursuant to the provisions of section 207.021 and chapter 536 to carry out the  
234 provisions of sections 210.109 to 210.183.

235 24. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
236 created under the authority delegated in this section shall become effective only if it complies  
237 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
238 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
239 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and  
240 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
241 any rule proposed or adopted after August 28, 2000, shall be invalid and void.

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

8           (2) The children's division and its contractors shall provide written notification of the  
9 rights enumerated in this section at the time ~~[of]~~ **a child is placed with the prospective foster**  
10 **parent, at** initial licensure, and at the time of each licensure renewal following the initial  
11 licensure period.

12           2. (1) The children's division and its contractors shall provide foster parents with  
13 regularly scheduled opportunities for preservice training, and regularly scheduled opportunities  
14 for pertinent inservice training, as determined by the Missouri State Foster Care and Adoption  
15 Advisory Board.

16           (2) The children's division and its contractors shall provide to foster parents and potential  
17 adoptive parents, prior to placement, all pertinent information, including but not limited to full  
18 disclosure of all medical, psychological, and psychiatric conditions of the child, as well as  
19 information from previous placements that would indicate that the child or children may have  
20 a propensity to cause violence to any member of the foster family home. The foster parents shall  
21 be provided with any information regarding the child or the child's family, including but not  
22 limited to the case plan, any family history of mental or physical illness, sexual abuse of the child  
23 or sexual abuse perpetrated by the child, criminal background of the child or the child's family,  
24 fire-setting or other destructive behavior by the child, substance abuse by the child or child's  
25 family, or any other information which is pertinent to the care and needs of the child and to  
26 protect the foster or adoptive family. **The children's division and its contractors shall provide**  
27 **full access to the child's medical, psychological, and psychiatric records in its possession**  
28 **at the time of placement, including records prior to the child coming into care, at the time**  
29 **the child is placed with a foster parent. After initial placement, the children's division and**  
30 **its contractors shall have a continuing duty and obligation to provide access to such**  
31 **records that come into its possession or of which the division or its contractors become**  
32 **aware. Access shall include providing information and authorization for foster parents to**  
33 **review or to obtain the records directly from the medical, psychological, or psychiatric**  
34 **services provider. A foster parent may decline access to any or all of the child's records.**  
35 Knowingly providing false or misleading information to foster parents in order to secure  
36 placement shall be denoted in the caseworker's personnel file and shall be kept on record by the  
37 division.

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

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

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

47 (6) The children's division and its contractors shall establish reasonably accessible  
48 respite care for children in foster care for short periods of time, jointly determined by foster  
49 parents and the child's caseworker pursuant to section 210.545. Foster parents shall follow all  
50 procedures established by the children's division and its contractors for requesting and using  
51 respite care.

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

62 3. (1) Foster parents shall make decisions about the daily living concerns of the child,  
63 and shall be permitted to continue the practice of their own family values and routines while  
64 respecting the child's cultural heritage. All discipline shall be consistent with state laws and  
65 regulations. The children's division shall allow foster parents to help plan visitation between the  
66 child and the child's siblings or biological family. Visitations should be scheduled at a time that  
67 meets the needs of the child, the biological family members, and the foster family whenever  
68 possible. Recognizing that visitation with family members is an important right of children in  
69 foster care, foster parents shall be flexible and cooperative with regard to family visits. **The**  
70 **children's division shall not require foster parents to conduct supervised visits or be**  
71 **present during any supervised visits between the child and the child's siblings or biological**  
72 **family.**

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

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

82 4. (1) Consistent with state laws and regulations, the children's division and its  
83 contractors shall provide, upon request by the foster parents, information about a child's progress  
84 after the child leaves foster care.

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

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

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

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

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

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

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

111 8. For purposes of this section, "foster parent" means a resource family providing care  
112 of children in state custody.

**210.652. Beginning August 28, 2020, the department of social services, in  
2 conjunction with the office of administration, shall implement a computerized method to**

3 **allow for the electronic exchanging of data and documents required by the Interstate**  
4 **Compact on the Placement of Children to place children across state lines.**

211.135. The court, after considering all information provided by the children's  
2 **division and input from the family support team, shall order the child to appear in court**  
3 **only:**

4 **(1) If necessary to make a decision; and**

5 **(2) After considering:**

6 **(a) The appropriateness of the courtroom environment for the child based on the**  
7 **level of trauma to the child either in the past or to be caused by the experience in the**  
8 **courtroom; and**

9 **(b) The hardship to be endured by the child and current guardians in regards to**  
10 **the disruption in regular activities, including school and work, and the needs of any other**  
11 **children in the home,**

12

13 **so long as the court is in compliance with all federal guidelines.**

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

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

9 3. The current foster ~~[parents]~~ **parent** of a child, or any preadoptive parent or relative  
10 currently providing care for the child, shall be provided with notice of, and an opportunity to be  
11 heard in, any hearing to be held with respect to ~~[the child, and a foster parent shall have standing]~~  
12 **a child in his or her care** to participate in all court hearings pertaining to a child in their care.  
13 **If a foster parent alleges the court failed to allow the foster parent to be heard orally or by**  
14 **submission of correspondence at any hearing regarding a child in their care, the foster**  
15 **parent may seek remedial writ relief pursuant to Missouri supreme court rules 84, 94, and**  
16 **97. No docket fee shall be required to be paid by the foster parent. The children's division**  
17 **shall not remove a child from placement with a foster parent based solely upon the foster**  
18 **parent's filing of a petition for a remedial writ or while a writ is pending, unless removal**  
19 **is necessary to ensure the health and safety of the child.**

20

21 **4. The court shall ensure a child's foster parent has received full access to the**  
**child's medical, psychological, and psychiatric records, including prior records, from the**

22 **children's division and its contractors under section 210.566, by inquiring at the first**  
23 **hearing at which the foster parent is present.**

24 5. All cases of children shall be heard separately from the trial of cases against adults.

25 ~~[5.]~~ 6. Stenographic notes or an authorized recording of the hearing shall be required  
26 if the court so orders or, if requested by any party interested in the proceeding.

27 ~~[6.]~~ 7. The general public shall be excluded and only such persons admitted as have a  
28 direct interest in the case or in the work of the court except in cases where the child is accused  
29 of conduct which, if committed by an adult, would be considered a class A or B felony; or for  
30 conduct which would be considered a class C felony, if the child has previously been formally  
31 adjudicated for the commission of two or more unrelated acts which would have been class A,  
32 B or C felonies, if committed by an adult.

33 ~~[7.]~~ 8. The practice and procedure customary in proceedings in equity shall govern all  
34 proceedings in the juvenile court; except that, the court shall not grant a continuance in such  
35 proceedings absent compelling extenuating circumstances, and in such cases, the court shall  
36 make written findings on the record detailing the specific reasons for granting a continuance.

37 ~~[8.]~~ 9. The court shall allow the victim of any offense to submit a written statement to  
38 the court. The court shall allow the victim to appear before the court personally or by counsel  
39 for the purpose of making a statement, unless the court finds that the presence of the victim  
40 would not serve justice. The statement shall relate solely to the facts of the case and any personal  
41 injuries or financial loss incurred by the victim. A member of the immediate family of the victim  
42 may appear personally or by counsel to make a statement if the victim has died or is otherwise  
43 unable to appear as a result of the offense committed by the child.

2 ~~[210.790. A foster parent shall have standing to participate in all court  
hearings pertaining to a child in their care.]~~

✓