

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILLS NOS. 2505 & 2044

AN ACT

To repeal sections 21.771, 210.110, 210.112, 210.566, 210.700, 210.760, 210.761, 211.171, 211.464, 452.375, 452.410, 452.423, 455.010, 455.035, and 455.513, RSMo, and section 210.1700 as truly agreed to and finally passed in conference committee substitute for senate substitute for senate bill no. 1421, one hundred third general assembly, and to enact in lieu thereof nineteen new sections relating to the care and custody of children.

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

Section A. Sections 21.771, 210.110, 210.112, 210.566,  
2 210.700, 210.760, 210.761, 211.171, 211.464, 452.375, 452.410,  
3 452.423, 455.010, 455.035, and 455.513, RSMo, and section  
4 210.1700 as truly agreed to and finally passed in conference  
5 committee substitute for senate substitute for senate bill no.  
6 1421, one hundred third general assembly, are repealed and  
7 nineteen new sections enacted in lieu thereof, to be known as  
8 sections 21.771, 210.110, 210.112, 210.224, 210.566, 210.700,  
9 210.760, 210.1700, 211.171, 211.437, 452.375, 452.381, 452.410,  
10 452.423, 455.010, 455.035, 455.513, 476.051, and 1, to read as  
11 follows:

21.771. 1. There is established a joint committee of  
2 the general assembly to be known as the "Joint Committee on  
3 Child Abuse and Neglect" to be composed of seven members of

4 the senate and seven members of the house of  
5 representatives. The senate members of the joint committee  
6 shall be appointed by the president pro tem and minority  
7 floor leader of the senate and the house members shall be  
8 appointed by the speaker and minority floor leader of the  
9 house of representatives. The appointment of each member  
10 shall continue during the member's term of office as a  
11 member of the general assembly or until a successor has been  
12 appointed to fill the member's place. No party shall be  
13 represented by more than four members from the house of  
14 representatives nor more than four members from the senate.  
15 A majority of the committee shall constitute a quorum, but  
16 the concurrence of a majority of the members shall be  
17 required for the determination of any matter within the  
18 committee's duties.

19 2. The joint committee shall:

20 (1) Make a continuing study and analysis of the state  
21 child abuse and neglect reporting and investigation system;

22 (2) Devise a plan for improving the structured  
23 decision making regarding the removal of a child from a home;

24 (3) Determine the additional personnel and resources  
25 necessary to adequately protect the children of this state  
26 and improve their welfare and the welfare of families;

27 (4) Address the need for additional foster care homes  
28 and to improve the quality of care provided to abused and  
29 neglected children in the custody of the state;

30 (5) Determine from its study and analysis the need for  
31 changes in statutory law;

32 (6) Make any other recommendation to the general  
33 assembly necessary to provide adequate protections for the  
34 children of our state; and

35 (7) Make recommendations on how to improve abuse and  
36 neglect proceedings including examining the role of the

37 judge, children's division, the juvenile officer, the  
38 guardian ad litem, and the foster parents.

39 3. The joint committee shall meet within thirty days  
40 after its creation and organize by selecting a chairperson  
41 and a vice chairperson, one of whom shall be a member of the  
42 senate and the other a member of the house of  
43 representatives. The chairperson shall alternate between  
44 members of the house and senate every two years after the  
45 committee's organization.

46 4. The committee shall meet at least quarterly. The  
47 committee may meet at locations other than Jefferson City  
48 when the committee deems it necessary.

49 5. The committee shall be staffed by legislative  
50 personnel as is deemed necessary to assist the committee in  
51 the performance of its duties.

52 6. The members of the committee shall serve without  
53 compensation but shall be entitled to reimbursement for  
54 actual and necessary expenses incurred in the performance of  
55 their official duties.

56 7. It shall be the duty of the committee to compile a  
57 full report of its activities for submission to the general  
58 assembly. The report shall be submitted not later than the  
59 fifteenth of January of each year in which the general  
60 assembly convenes in regular session and shall include any  
61 recommendations which the committee may have for legislative  
62 action as well as any recommendations for administrative or  
63 procedural changes in the internal management or  
64 organization of state or local government agencies and  
65 departments. Copies of the report containing such  
66 recommendations shall be sent to the speaker and chief clerk  
67 of the house of representatives, the president pro tem and  
68 secretary of the senate, and the appropriate directors of

69 state or local government agencies or departments included  
70 in the report.

71 8. The provisions of this section shall expire on  
72 [January 15, 2023] August 28, 2031.

210.110. As used in sections 210.109 to 210.165, and  
2 sections 210.180 to 210.183, the following terms mean:

3 (1) "Abuse", any physical injury, sexual abuse, or  
4 emotional abuse inflicted on a child other than by  
5 accidental means by those responsible for the child's care,  
6 custody, and control, except that discipline including  
7 spanking, administered in a reasonable manner, shall not be  
8 construed to be abuse. Victims of abuse shall also include  
9 any victims of sex trafficking or severe forms of  
10 trafficking as those terms are defined in 22 U.S.C. Section  
11 7102, as amended;

12 (2) "Assessment and treatment services for children",  
13 an approach to be developed by the children's division which  
14 will recognize and treat the specific needs of at-risk and  
15 abused or neglected children. The developmental and medical  
16 assessment may be a broad physical, developmental, and  
17 mental health screening [to be completed within thirty days  
18 of a child's entry into custody and] that shall be in  
19 accordance with the time frames set forth under paragraphs  
20 (a) and (b) of this subdivision and the periodicity schedule  
21 set forth by the American Academy of Pediatrics thereafter  
22 as long as the child remains in care. Screenings may be  
23 offered at a centralized location and shall include, at a  
24 minimum, the following:

25 (a) Within seventy-two hours upon entry into custody,  
26 a [complete] physical to be performed by a [pediatrician]  
27 physician or nurse practitioner familiar with the effects of  
28 abuse [and] or neglect on young children. The physician or  
29 nurse practitioner who performs the physical under this

30 paragraph shall also request the child's past medical  
31 records, and a foster family of the child shall have access  
32 to all medical records under this paragraph. If medical  
33 records indicate that an evaluation has been completed and  
34 such evaluation indicated a need for developmental,  
35 behavioral, and emotional treatment, best efforts shall be  
36 made to provide or, if such treatment is being provided,  
37 continue such care with the current provider or another  
38 provider if such provider is not available. Any person  
39 receiving such request shall fulfill the request within  
40 thirty days of placement. No vaccine shall be administered  
41 during the physical without the consent of the biological  
42 parent; and

43 (b) Within thirty days of the physical under paragraph  
44 (a) of this subdivision, a referral for a developmental,  
45 behavioral, and emotional screening in addition to early  
46 periodic screening, diagnosis, and treatment services,  
47 including a core set of standardized and recognized  
48 instruments as well as interviews with the child and  
49 appropriate caregivers. The screening battery may be  
50 performed by a licensed mental health professional familiar  
51 with the effects of abuse [and] or neglect on young children  
52 or a primary care physician using a standardized assessment  
53 tool, who will then serve as the liaison between all service  
54 providers in ensuring that needed services are provided.  
55 Such treatment services may include in-home services, out-of-  
56 home placement, intensive twenty-four-hour treatment  
57 services, family counseling, parenting training and other  
58 best practices.

59 Children whose screenings indicate an area of concern may  
60 complete a comprehensive, in-depth health, psychodiagnostic,

61 or developmental assessment within sixty days of entry into  
62 custody;

63 (3) "Central registry", a registry of persons where  
64 the division has found probable cause to believe prior to  
65 August 28, 2004, or by a preponderance of the evidence after  
66 August 28, 2004, or a court has substantiated through court  
67 adjudication that the individual has committed child abuse  
68 or neglect or the person has pled guilty or has been found  
69 guilty of a crime pursuant to section 565.020, 565.021,  
70 565.023, 565.024, 565.050, 566.030, 566.060, or 567.050 if  
71 the victim is a child less than eighteen years of age, or  
72 any other crime pursuant to chapter 566 if the victim is a  
73 child less than eighteen years of age and the perpetrator is  
74 twenty-one years of age or older, a crime under section  
75 568.020, 568.030, 568.045, 568.050, 568.060, 568.080,  
76 568.090, 573.023, 573.025, 573.035, 573.037, 573.040,  
77 573.200, or 573.205, or an attempt to commit any such  
78 crimes. Any persons placed on the registry prior to August  
79 28, 2004, shall remain on the registry for the duration of  
80 time required by section 210.152;

81 (4) "Child", any person, regardless of physical or  
82 mental condition, under eighteen years of age;

83 (5) "Children's services providers and agencies", any  
84 public, quasi-public, or private entity with the appropriate  
85 and relevant training and expertise in delivering services  
86 to children and their families as determined by the  
87 children's division, and capable of providing direct  
88 services and other family services for children in the  
89 custody of the children's division or any such entities or  
90 agencies that are receiving state moneys for such services;

91 (6) "Director", the director of the Missouri  
92 children's division within the department of social services;

93           (7) "Division", the Missouri children's division  
94 within the department of social services;

95           (8) "Family assessment and services", an approach to  
96 be developed by the children's division which will provide  
97 for a prompt assessment of a child who has been reported to  
98 the division as a victim of abuse or neglect by a person  
99 responsible for that child's care, custody or control and of  
100 that child's family, including risk of abuse and neglect  
101 and, if necessary, the provision of community-based services  
102 to reduce the risk and support the family;

103           (9) "Family support team meeting" or "team meeting", a  
104 meeting convened by the division or children's services  
105 provider in behalf of the family and/or child for the  
106 purpose of determining service and treatment needs,  
107 determining the need for placement and developing a plan for  
108 reunification or other permanency options, determining the  
109 appropriate placement of the child, evaluating case  
110 progress, and establishing and revising the case plan;

111           (10) "Investigation", the collection of physical and  
112 **[verbal]** oral evidence to determine if a child has been  
113 abused or neglected;

114           (11) "Jail or detention center personnel", employees  
115 and volunteers working in any premises or institution where  
116 incarceration, evaluation, care, treatment or rehabilitation  
117 is provided to persons who are being held under custody of  
118 the law;

119           (12) "Neglect", failure to provide, by those  
120 responsible for the care, custody, and control of the child,  
121 the proper or necessary support, education as required by  
122 law, nutrition or medical, surgical, or any other care  
123 necessary for the child's well-being, except that neglect  
124 shall not be found by virtue of the sole fact that a person  
125 allows a child to engage in independent activities without

126 adult supervision including, but not limited to, traveling  
127 to or from school or nearby locations by bicycle or on foot,  
128 playing outdoors, or remaining at home for a reasonable  
129 period of time, provided such activities are appropriate  
130 based on the child's age, maturity, and physical and mental  
131 abilities, and the lack of adult supervision does not  
132 constitute conduct that is so grossly negligent as to  
133 endanger the health or safety of the child. Victims of  
134 neglect shall also include any victims of sex trafficking or  
135 severe forms of trafficking as those terms are defined in 22  
136 U.S.C. Section 7102, as amended;

137 (13) "Preponderance of the evidence", that degree of  
138 evidence that is of greater weight or more convincing than  
139 the evidence which is offered in opposition to it or  
140 evidence which as a whole shows the fact to be proved to be  
141 more probable than not;

142 (14) "Probable cause", available facts when viewed in  
143 the light of surrounding circumstances which would cause a  
144 reasonable person to believe a child was abused or neglected;

145 (15) "Report", the communication of an allegation of  
146 child abuse or neglect to the division pursuant to section  
147 210.115;

148 (16) "Those responsible for the care, custody, and  
149 control of the child", includes, but is not limited to:

150 (a) The parents or legal guardians of a child;

151 (b) Other members of the child's household;

152 (c) Those exercising supervision over a child for any  
153 part of a twenty-four-hour day;

154 (d) Any adult person who has access to the child based  
155 on relationship to the parents of the child or members of  
156 the child's household or the family;

157 (e) Any person who takes control of the child by  
158 deception, force, or coercion; or

159 (f) School personnel, contractors, and volunteers, if  
160 the relationship with the child was established through the  
161 school or through school-related activities, even if the  
162 alleged abuse or neglect occurred outside of school hours or  
163 off school grounds.

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

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

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

12 (3) Services to children and their families shall be  
13 provided in a timely manner to maximize the opportunity for  
14 successful outcomes, and such services shall be tracked and  
15 routinely evaluated through a quality assurance program;

16 (4) Any provider of direct services to children and  
17 families shall have the appropriate and relevant training,  
18 education, and expertise to provide the highest quality of  
19 services possible which shall be consistent with federal and  
20 state standards;

21 (5) Resources and efforts shall be committed to pursue  
22 the best possible opportunity for a successful outcome for  
23 each child. Successful outcomes may include preparing youth  
24 for a productive and successful life as an adult outside the  
25 foster care system, such as independent living. For those  
26 providers that work with children requiring intensive twenty-  
27 four-hour treatment services, successful outcomes shall be  
28 based on the least restrictive alternative possible based on

29 the child's needs as well as the quality of care received;  
30 and

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

34 2. (1) In conjunction with the response and  
35 evaluation team established under subsection 3 of this  
36 section, as well as other individuals the division deems  
37 appropriate, the division shall establish an evaluation tool  
38 that complies with state and federal guidelines.

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

43 (3) There shall be a mechanism whereby providers may  
44 propose different evaluation metrics on a case-by-case basis  
45 if such case may have circumstances far beyond those that  
46 would be expected. Such cases shall be evaluated by the  
47 response and evaluation team under subsection 3 of this  
48 section.

49 (4) Data regarding all evaluation metrics shall be  
50 collected by the division on a monthly basis, and the  
51 division shall issue a quarterly report regarding the  
52 evaluation data for each provider, both public and private,  
53 by county. The response and evaluation team shall determine  
54 how to aggregate cases for the division and large  
55 contractors so that performance and outcomes may be compared  
56 effectively while also protecting confidentiality. Such  
57 reports shall be made public and shall include information  
58 by county.

59 (5) The standards and metrics developed through this  
60 evaluation tool shall be used to evaluate competitive bids

61 for future contracts established under subsection 4 of this  
62 section.

63 3. The division shall create a response and evaluation  
64 team. Membership of the team shall be composed of five  
65 staff members from the division with experience in foster  
66 care appointed by the director of the division; five  
67 representatives, one from each contract region for foster  
68 care case management contracts under this section, who shall  
69 be annually rotated among contractors in each region, which  
70 shall appoint the agency; two experts working in either  
71 research or higher education on issues relating to child  
72 welfare and foster care appointed by the director of the  
73 division and who shall be actively working for either an  
74 academic institution or policy foundation; one juvenile  
75 officer or a Missouri juvenile justice director to be  
76 appointed by the Missouri Juvenile Justice Association; and  
77 one juvenile or family court judge appointed by the supreme  
78 court. The division shall provide the necessary staffing  
79 for the team's operations. All members shall be appointed  
80 and the team shall meet for the first time before January 1,  
81 2021. The team shall:

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

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

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

93 (c) Review and recommend any structure for incentives  
94 or other reimbursement strategies under subsection 6 of this  
95 section;

96 (2) Develop and execute periodic provider evaluations  
97 of cases managed by the division and children service  
98 providers contracted with the state to provide foster care  
99 case management services, in the field under the evaluation  
100 tool created under subsection 2 of this section to ensure  
101 basic requirements of the program are met, which shall  
102 include, but are not limited to, random file review to  
103 ensure documentation shows required visits and case  
104 management plan notes; and

105 (3) Develop a system for reviewing and working with  
106 providers identified under subdivision (2) of this  
107 subsection or providers who request such assistance from the  
108 division who show signs of performance weakness to ensure  
109 technical assistance and other services are offered to  
110 assist the providers in achieving successful outcomes for  
111 their cases.

112 4. The children's division and any other state agency  
113 deemed necessary by the division shall, in consultation with  
114 service providers and other relevant parties, enter into and  
115 implement contracts with qualified children's services  
116 providers and agencies to provide a comprehensive and  
117 deliberate system of service delivery for children and their  
118 families. Contracts shall be awarded through a competitive  
119 process and provided by qualified public and private not-for-  
120 profit or limited liability corporations owned exclusively  
121 by not-for-profit corporations children's services providers  
122 and agencies which have:

123 (1) A proven record of providing child welfare  
124 services within the state of Missouri which shall be  
125 consistent with the federal standards, but not less than the

126 standards and policies used by the children's division as of  
127 January 1, 2004; and

128 (2) The ability to provide a range of child welfare  
129 services including, but not limited to, case management  
130 services, family-centered services, foster and adoptive  
131 parent recruitment and retention, residential care, in-home  
132 services, foster care services, adoption services, relative  
133 care case management, planned permanent living services, and  
134 family reunification services.

135 No contracts under this section shall be issued for services  
136 related to the child abuse and neglect hotline,  
137 investigations of alleged abuse and neglect, and initial  
138 family assessments. Any contracts entered into by the  
139 division shall be in accordance with all federal laws and  
140 regulations, and shall seek to maximize federal funding.  
141 Children's services providers and agencies under contract  
142 with the division shall be subject to all federal, state,  
143 and local laws and regulations relating to the provision of  
144 such services, and shall be subject to oversight and  
145 inspection by appropriate state agencies to assure  
146 compliance with standards which shall be consistent with the  
147 federal standards.

148 5. The division shall accept as prima facie evidence  
149 of completion of the requirements for licensure under  
150 sections 210.481 to 210.511 proof that an agency is  
151 accredited by any of the following nationally recognized  
152 bodies: the Council on Accreditation of Services, Children  
153 and Families, Inc.; the Joint Commission on Accreditation of  
154 Hospitals; or the Commission on Accreditation of  
155 Rehabilitation Facilities.

156 6. Payment to the children's services providers and  
157 agencies shall be made based on the reasonable costs of

158 services, including responsibilities necessary to execute  
159 the contract. Any reimbursement increases made through  
160 enhanced appropriations for services shall be allocated to  
161 providers regardless of whether the provider is public or  
162 private. Such increases shall be considered additive to the  
163 existing contracts. In addition to payments reflecting the  
164 cost of services, contracts shall include incentives  
165 provided in recognition of performance based on the  
166 evaluation tool created under subsection 2 of this section  
167 and the corresponding savings for the state. The response  
168 and evaluation team under subsection 3 of this section shall  
169 review a formula to distribute such payments, as recommended  
170 by the division.

171 7. When the contractor has or may have violated any  
172 provision of state or federal law or regulation relevant to  
173 its performance of its duties under the contract, or any  
174 provision of its contract, the division shall consider  
175 immediate [actions that are in] action, including ex parte  
176 action when necessary, to ensure compliance with the law,  
177 the requirements of the contract, and to ensure the best  
178 interests of the children are being served [including].  
179 These actions may include, but are not limited to, remedial  
180 measures such as overruling a contractor's action or  
181 decision in a particular case and requiring corrective  
182 action to be taken, placing the agency on a corrective plan,  
183 halting new referrals, transferring cases to other  
184 [performing] providers[, or terminating the provider's] in  
185 good standing, and suspending all or a portion of the  
186 provider's duties and obligations under the contract. The  
187 division shall take steps necessary to evaluate the nature  
188 of the issue and act accordingly in the most timely fashion  
189 possible. The contractor shall timely and fully implement  
190 all remedial measures specified in corrective action plans.

191           8. By July 1, 2021, the children's division shall  
192 promulgate and have in effect rules to implement the  
193 provisions of this section and, pursuant to this section,  
194 shall define implementation plans and dates. Any rule or  
195 portion of a rule, as that term is defined in section  
196 536.010, that is created under the authority delegated in  
197 this section shall become effective only if it complies with  
198 and is subject to all of the provisions of chapter 536 and,  
199 if applicable, section 536.028. This section and chapter  
200 536 are nonseverable and if any of the powers vested with  
201 the general assembly pursuant to chapter 536 to review, to  
202 delay the effective date, or to disapprove and annul a rule  
203 are subsequently held unconstitutional, then the grant of  
204 rulemaking authority and any rule proposed or adopted after  
205 August 28, 2004, shall be invalid and void.

206           9. A provision in a service provider contract in which  
207 the state is indemnified, held harmless, or insured for  
208 damages, claims, losses, or expenses arising from any  
209 injury, including, but not limited to, bodily injury, mental  
210 anguish, property damage, or economic or noneconomic damages  
211 or loss caused by or resulting from the state's negligence,  
212 in whole or in part, shall be void as against public policy  
213 and unenforceable. As used in this subsection, "service  
214 provider contract" means a contract, agreement, or  
215 understanding between a provider of services and the  
216 division regarding the provision of services.

210.224. 1. This section shall be known and may be  
2 cited as "Conrad's Law".

3           2. As used in this section, the term "special needs"  
4 means special physical, developmental, or behavioral needs.

5           3. Licensed child care facilities shall adopt the  
6 following policies regarding safe sleep for children over  
7 infancy and on the use of weighted blankets:

8           (1) Child care workers shall not cover the faces of  
9 children at naptime;

10           (2) Weighted blankets shall not be used in licensed  
11 child care facilities; and

12           (3) Recognizing that not all children take naps and  
13 are not required to nap, nonnapping children shall have safe  
14 rest options including nonrestrained and supervised quiet  
15 play.

16           4. In coordination with parents or legal guardians,  
17 licensed child care facilities shall create care plans for  
18 children with special needs. Such care plan shall be  
19 annually agreed upon, signed, and annually reviewed by the  
20 child's parents or legal guardians, the child care facility  
21 owner or director, and any staff member who is directly  
22 responsible for the care of the child.

23           5. All licensed and registered child care facilities  
24 caring for a child with a special need shall complete  
25 training applicable to caring for the specific needs of a  
26 child with that special need. Such training shall count  
27 toward the required annual training hours and shall be  
28 monitored by the office of childhood within the department  
29 of elementary and secondary education as part of the  
30 licensed child care provider hours of training.

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

10 with their ethical responsibilities as professional team  
11 members.

12 (2) The children's division and its contractors shall  
13 provide written notification of the rights enumerated in  
14 this section at the time a child is placed with the  
15 prospective foster parent, at initial licensure, and at the  
16 time of each licensure renewal following the initial  
17 licensure period.

18 2. (1) The children's division and its contractors  
19 shall provide foster parents with regularly scheduled  
20 opportunities for preservice training, and regularly  
21 scheduled opportunities for pertinent inservice training, as  
22 determined by the Missouri State Foster Care and Adoption  
23 Advisory Board.

24 (2) The children's division and its contractors shall  
25 provide to foster parents and potential adoptive parents,  
26 prior to placement, all pertinent information, including but  
27 not limited to full disclosure of all medical,  
28 psychological, and psychiatric conditions of the child, as  
29 well as information from previous placements that would  
30 indicate that the child or children may have a propensity to  
31 cause violence to any member of the foster family home. The  
32 foster parents shall be provided with any information  
33 regarding the child or the child's family, including but not  
34 limited to the case plan, any family history of mental or  
35 physical illness, sexual abuse of the child or sexual abuse  
36 perpetrated by the child, criminal background of the child  
37 or the child's family, fire-setting or other destructive  
38 behavior by the child, substance abuse by the child or  
39 child's family, or any other information which is pertinent  
40 to the care and needs of the child and to protect the foster  
41 or adoptive family. The children's division and its  
42 contractors shall provide full access to the child's

43 medical, psychological, and psychiatric records in its  
44 possession at the time of placement, including records prior  
45 to the child coming into care, at the time the child is  
46 placed with a foster parent. After initial placement, the  
47 children's division and its contractors shall have a  
48 continuing duty and obligation to provide access to such  
49 records that come into its possession or of which the  
50 division or its contractors become aware. Access shall  
51 include providing information and authorization for foster  
52 parents to review or to obtain the records directly from the  
53 medical, psychological, or psychiatric services provider. A  
54 foster parent may decline access to any or all of the  
55 child's records. Knowingly providing false or misleading  
56 information to foster parents in order to secure placement  
57 shall be denoted in the caseworker's personnel file and  
58 shall be kept on record by the division.

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

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

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

72 (6) The children's division and its contractors shall  
73 establish reasonably accessible respite care for children in  
74 foster care for short periods of time, jointly determined by  
75 foster parents and the child's caseworker pursuant to

76 section 210.545. Foster parents shall follow all procedures  
77 established by the children's division and its contractors  
78 for requesting and using respite care.

79 (7) Foster parents shall treat all information  
80 received from the children's division and its contractors  
81 about the child and the child's family as confidential.  
82 Information necessary for the medical or psychiatric care of  
83 the child may be provided to the appropriate practitioners.  
84 Foster parents may share information necessary with school  
85 personnel in order to secure a safe and appropriate  
86 education for the child. Additionally, foster parents shall  
87 share information they may learn about the child and the  
88 child's family, and concerns that arise in the care of the  
89 child, with the caseworker and other members of the child  
90 welfare team. Recognizing that placement changes are  
91 difficult for children, foster parents shall seek all  
92 necessary information, and participate in preplacement  
93 visits whenever possible, before deciding whether to accept  
94 a child for placement.

95 3. (1) Foster parents shall make decisions about the  
96 daily living concerns of the child, and shall be permitted  
97 to continue the practice of their own family values and  
98 routines while respecting the child's cultural heritage.  
99 All discipline shall be consistent with state laws and  
100 regulations. The children's division shall allow foster  
101 parents to help plan visitation between the child and the  
102 child's siblings or biological family. Visitations should  
103 be scheduled at a time that meets the needs of the child,  
104 the biological family members, and the foster family  
105 whenever possible. Recognizing that visitation with family  
106 members is an important right of children in foster care,  
107 foster parents shall be flexible and cooperative with regard  
108 to family visits. The children's division shall not require

109 foster parents to conduct supervised visits or be present  
110 during any supervised visits between the child and the  
111 child's siblings or biological family.

112 (2) Foster parents shall provide care that is  
113 respectful of the child's cultural identity and needs.  
114 Recognizing that cultural competence can be learned, the  
115 children's division and their contractors shall provide  
116 foster parents with training that specifically addresses  
117 cultural needs of children, including but not limited to,  
118 information on skin and hair care, information on any  
119 specific religious or cultural practices of the child's  
120 biological family, and referrals to community resources for  
121 ongoing education and support.

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

127 4. (1) Consistent with state laws and regulations,  
128 the children's division and its contractors shall provide,  
129 upon request by the foster parents, information about a  
130 child's progress after the child leaves foster care.

131 (2) Except in emergencies or by mutual consent of the  
132 foster parents and the children's division, foster parents  
133 shall be given two weeks advance notice and a written  
134 statement of the reasons before a child is removed from  
135 their care. When requesting removal of a child from their  
136 home, foster parents shall give two weeks advance notice,  
137 consistent with division policy, to the child's caseworker,  
138 except in emergency situations. As used in this section  
139 "emergency" or "emergencies" shall have the same meaning as  
140 in section 210.700.

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

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

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

159 5. [Foster parents] A foster parent who has current  
160 placement of a child shall receive notice of all court  
161 proceedings, as provided in section 211.437. If the court  
162 determines that it is in the best interests of the child,  
163 former foster parents of the child, as provided in 211.437,  
164 who file a written request with the court and the children's  
165 division for notification, shall be informed by the court no  
166 later than two weeks prior to all court hearings pertaining  
167 to a child in their care, and informed of their right to  
168 attend and participate, [consistent with section 211.464] as  
169 provided in section 211.437. Thereafter, the court may,  
170 upon motion of a party or upon its own motion, relieve the  
171 court of its obligation to provide notice to the foster  
172 parents or former foster parents if the court finds it is no

173 longer in the best interest of the child for such notice to  
174 be provided.

175         6. The children's division and their contractors shall  
176 provide access to a fair and impartial grievance process to  
177 address licensure, case management decisions, and delivery  
178 of service issues. Foster parents shall have timely access  
179 to the child placement agency's appeals process, and shall  
180 be free from acts of retaliation when exercising the right  
181 to appeal, when stating concerns with the agency in court,  
182 or when filing complaints with any agency on adoption,  
183 guardianship, and foster care. The grievance process shall  
184 include a form and a detailed explanation of the process  
185 that is easily accessible on the children's division's  
186 website and on any case management contractor's website. A  
187 contractor shall accept the department grievance process  
188 form that is available on the department's website, even if  
189 a contractor has created their own grievance process form to  
190 address licensure, case management decisions, and delivery  
191 of service issues. No later than December 31, 2026, the  
192 children's division shall hold at least one public meeting,  
193 which may be virtual, and shall solicit comments regarding  
194 the adequacy of its existing grievance procedures. The  
195 division shall consider the comments and promptly promulgate  
196 any amendments to its regulations it determines necessary to  
197 comply with the provisions of this section.

198         7. The children's division and their contractors shall  
199 provide training to foster parents on the policies and  
200 procedures governing the licensure of foster homes, the  
201 provision of foster care, and the adoption process. Foster  
202 parents shall, upon request, be provided with written  
203 documentation of the policies of the children's division and  
204 their contractors. Per licensure requirements, foster

205 parents shall comply with the policies of the child  
206 placement agency.

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

210.700. As used in sections 210.700 to 210.760, the  
2 following words and terms shall have the meanings indicated:

3 (1) "Child" [shall mean], a person under the age of  
4 eighteen years whose custody has been committed to an  
5 authorized agency by an order of a judge, or by a surrender  
6 agreement, or who has been committed temporarily to the care  
7 of an authorized agency by a parent, guardian or relative  
8 within the second degree of consanguinity[.];

9 (2) "Emergency", a situation in which:

10 (a) There is a reasonable suspicion to believe the  
11 child has been subjected to or is at imminent risk of  
12 neglect or abuse;

13 (b) There is a reasonable suspicion to believe that  
14 the child may pose an imminent risk to the health and safety  
15 of themselves or other individuals in the foster home or the  
16 community;

17 (c) The child's foster parent or caregiver has failed  
18 to comply or has indicated an imminent intention not to  
19 comply with the orders of the court, removal of the child  
20 without statutory notice is the most feasible means to  
21 ensure compliance, and there are no feasible corrective  
22 measures available to ensure compliance within the two week  
23 notice period under the circumstances; or

24 (d) Removal is ordered by the court;

25 (3) "Foster care" [shall mean], care provided a child  
26 in a foster home, a group home, agency, child care  
27 institution, or any combination thereof.

210.760. 1. In making placements in foster care the children's division shall:

(1) Arrange for a preplacement visit of the child, except in emergencies;

(2) Provide full and accurate medical information and medical history to the persons providing foster care at the time of placement;

(3) Give a minimum of [five days] two weeks advance notice to the persons providing foster care before removing a child from their care, as provided in and with the exceptions set forth in subdivision (2) of subsection 4 of section 210.566;

(4) Provide the persons giving foster care with a written statement of the reasons for removing a child at the time of the notification required by this section;

(5) Notify the child's parent or legal guardian that the child has been placed in foster care; and

(6) Work with the parent or legal guardian of the child, through services available, in an effort to return the child to his or her natural home, if at all possible, or to place the child in a permanent adoptive setting, in accordance with the division's goals to reduce the number of children in long-term foster care and reestablish and encourage the family unit.

2. Except as otherwise provided in section 210.125, no child shall be removed from school prior to the end of the official school day for that child for placement in foster care without a court order specifying that the child shall be removed from school. This limitation applies whether the child is currently in foster care or is being taken into custody for placement in protective custody.

[210.1700. 1. As used in this section, the following terms mean:

3           (1) "Overnight camp", a program operated  
4 by a person or organization that includes the  
5 hours between 9:00 p.m. and 6:00 a.m. but not  
6 for two or more sequential overnights;

7           (2) "Residential camp", a program operated  
8 by a person or organization that includes the  
9 hours between 9:00 p.m. and 6:00 a.m. for two or  
10 more sequential overnights.

11           2. Each overnight camp or residential camp  
12 staff member or volunteer who is eighteen years  
13 of age or older shall have received a qualifying  
14 criminal background check as defined in  
15 210.1080.]

210.1700. 1. As used in this section, "residential  
2 camp" means a program operated by a person or organization  
3 that includes the hours between 9:00 p.m. and 6:00 a.m. for  
4 two or more sequential overnights.

5           2. Each residential camp staff member or volunteer who  
6 is eighteen years of age or older shall be subject to a  
7 criminal background check prior to commencing employment or  
8 volunteer service. Such criminal background check shall  
9 include:

10           (1) A search of the National Crime Information  
11 Center's National Sex Offender Registry; and

12           (2) A search of the following data sources in Missouri  
13 and each state where such staff member or volunteer has  
14 resided during the preceding five years, where such data  
15 sources are available:

16           (a) The state name-based criminal registry or  
17 repository; and

18           (b) The state name-based sex offender registry or  
19 repository.

20           3. Upon completion of the background check, any staff  
21 member or volunteer who is eighteen years of age or older  
22 shall be ineligible for employment or service if such person:

23           (1) Is registered, or is required to be registered, on  
24 a state sex offender registry or repository or the National  
25 Sex Offender Registry; or

26           (2) Has pled guilty or nolo contendere to or been  
27 found guilty of any of the offenses listed in paragraphs (a)  
28 to (k) of subdivision (5) of subsection 4 of section  
29 210.1080 or any similar offense in any federal, state,  
30 municipal, or other court of similar jurisdiction of which  
31 the camp has knowledge.

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

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

13           3. [The current foster parent of a child, or any  
14 preadoptive parent or relative currently providing care for  
15 the child, shall be provided with notice of, and an  
16 opportunity to be heard in, any hearing to be held with  
17 respect to a child in his or her care, and a foster parent  
18 shall have standing to participate in all court hearings  
19 pertaining to a child in their care. If a foster parent  
20 alleges the court failed to allow the foster parent to be  
21 heard orally or by submission of correspondence at any  
22 hearing regarding a child in their care, the foster parent  
23 may seek remedial writ relief pursuant to Missouri supreme  
24 court rules 84, 94, and 97. No docket fee shall be required

25 to be paid by the foster parent. The children's division  
26 shall not remove a child from placement with a foster parent  
27 based solely upon the foster parent's filing of a petition  
28 for a remedial writ or while a writ is pending, unless  
29 removal is necessary to ensure the health and safety of the  
30 child.

31 [4.] The court shall ensure a child's foster parent has  
32 received full access to the child's medical, psychological,  
33 and psychiatric records, including prior records, from the  
34 children's division and its contractors under section  
35 210.566, by inquiring at the first hearing at which the  
36 foster parent is present. Except as otherwise provided in  
37 this subsection, the court shall ensure that the foster  
38 parent receives a copy of all court orders and all reports  
39 that they are authorized to receive under the law.

40 [5.] 4. All cases of children shall be heard  
41 separately from the trial of cases against adults.

42 [6.] 5. Stenographic notes or an authorized recording  
43 of the hearing shall be required if the court so orders or,  
44 if requested by any party interested in the proceeding.

45 [7.] 6. The general public shall be excluded and only  
46 such persons admitted as have a direct interest in the case  
47 or in the work of the court except in cases where the child  
48 is accused of conduct which, if committed by an adult, would  
49 be considered a class A or B felony; or for conduct which  
50 would be considered a class C felony, if the child has  
51 previously been formally adjudicated for the commission of  
52 two or more unrelated acts which would have been class A, B  
53 or C felonies, if committed by an adult.

54 [8.] 7. The practice and procedure customary in  
55 proceedings in equity shall govern all proceedings in the  
56 juvenile court; except that, the court shall not grant a  
57 continuance in such proceedings absent compelling

58 extenuating circumstances, and in such cases, the court  
59 shall make written findings on the record detailing the  
60 specific reasons for granting a continuance.

61 [9.] 8. The court shall allow the victim of any  
62 offense to submit a written statement to the court. The  
63 court shall allow the victim to appear before the court  
64 personally or by counsel for the purpose of making a  
65 statement, unless the court finds that the presence of the  
66 victim would not serve justice. The statement shall relate  
67 solely to the facts of the case and any personal injuries or  
68 financial loss incurred by the victim. A member of the  
69 immediate family of the victim may appear personally or by  
70 counsel to make a statement if the victim has died or is  
71 otherwise unable to appear as a result of the offense  
72 committed by the child.

211.437. 1. The court shall provide notice of hearing  
2 to the child's foster parents no later than two weeks prior  
3 to all court hearings pertaining to a child in their care,  
4 and inform them of their right to attend and participate as  
5 provided in this section.

6 2. Any person who has provided foster care to a child  
7 at any time in a six month period prior to any hearing  
8 concerning the child conducted pursuant to the provisions of  
9 sections 210.700 to 210.760, shall be allowed to testify at  
10 such hearing.

11 3. The court may limit such testimony to evidence the  
12 court finds relevant and material.

13 4. Where a child has been placed with a foster parent,  
14 with relatives or with other persons who are able and  
15 willing to permanently integrate the child into the family  
16 by adoption or guardianship, the court shall provide the  
17 opportunity for such foster parent, relative, prospective

18 guardian or other person to make recommendations, testify,  
19 and present evidence for the consideration of the court.

20 5. Current foster parents or other legal custodians or  
21 guardians of the child who are not seeking to adopt the  
22 child shall be given an opportunity to make recommendations  
23 and to testify at all hearings regarding the child. Upon  
24 the filing of a petition concerning a minor child who is in  
25 the care of foster parents or other legal custodians, the  
26 court shall give notice to such foster parents or legal  
27 custodians of the filing, any future hearings held on such  
28 petition, and their opportunity to testify at any subsequent  
29 hearings held in relation to such petition, unless such  
30 notice and opportunity is waived by such foster or custodial  
31 parent.

32 6. No docket fee shall be required to be paid by the  
33 individual.

34 7. The right of foster parents and others under this  
35 section to make recommendations, present evidence, and  
36 testify is limited and shall not make the individual a party  
37 to a proceeding under this chapter for all purposes. These  
38 individuals shall not have the right to adduce other  
39 evidence, offer objections to the testimony of other  
40 witnesses, conduct discovery, examine or cross examine other  
41 witnesses unless permitted by the court for good cause  
42 shown, nor shall these individuals have a right to appeal  
43 any findings, orders, or judgments made by the court.

44 8. All individuals authorized to attend, present  
45 evidence, or testify under this section shall have the right  
46 to be represented by counsel at their own expense in court  
47 to assist them in enforcing this section and presenting  
48 their evidence and testimony. The court shall afford  
49 counsel the opportunity to call the individual as a witness  
50 to present their testimony if the individual is not called

51 to testify or participate by the court or party to the  
52 proceeding. Counsel entering an appearance for such  
53 individuals shall file a limited entry of appearance and  
54 serve a copy on the parties.

55 9. If the court does not allow an individual  
56 authorized to attend, present evidence, or testify pursuant  
57 to this section, the foster parent may seek remedial writ  
58 relief pursuant to Missouri supreme court rules 84, 94, and  
59 97. No docket fee shall be required to be paid by the  
60 individual. The children's division shall not remove a  
61 child from placement solely upon the filing of a petition  
62 for a remedial writ or while a writ is pending, unless:

63 (1) An emergency, as defined in section 210.700,  
64 exists and there is insufficient time to act before a court  
65 order may be obtained; or

66 (2) Removal is ordered by the court.

452.375. 1. As used in this chapter, unless the  
2 context clearly indicates otherwise:

3 (1) "Custody" means joint legal custody, sole legal  
4 custody, joint physical custody or sole physical custody or  
5 any combination thereof;

6 (2) "Joint legal custody" means that the parents share  
7 the decision-making rights, responsibilities, and authority  
8 relating to the health, education and welfare of the child,  
9 and, unless allocated, apportioned, or decreed, the parents  
10 shall confer with one another in the exercise of decision-  
11 making rights, responsibilities, and authority;

12 (3) "Joint physical custody" means an order awarding  
13 each of the parents significant, but not necessarily equal,  
14 periods of time during which a child resides with or is  
15 under the care and supervision of each of the parents.

16 Joint physical custody shall be shared by the parents in

17 such a way as to assure the child of frequent, continuing  
18 and meaningful contact with both parents;

19 (4) "Third-party custody" means a third party  
20 designated as a legal and physical custodian pursuant to  
21 subdivision (5) of subsection 5 of this section.

22 2. The court shall determine custody in accordance  
23 with the best interests of the child. There shall be a  
24 rebuttable presumption that an award of equal or  
25 approximately equal parenting time to each parent is in the  
26 best interests of the child. Such presumption is rebuttable  
27 only by a preponderance of the evidence in accordance with  
28 all relevant factors, including, but not limited to, the  
29 factors contained in subdivisions (1) to (8) of this  
30 subsection. The presumption may be rebutted if the court  
31 finds that the parents have reached an agreement on all  
32 issues related to custody, or if the court finds that a  
33 pattern of domestic violence has occurred as set out in  
34 subdivision (6) of this subsection. When the parties have  
35 not reached an agreement on all issues related to custody,  
36 the court shall consider all relevant factors and enter  
37 written findings of fact and conclusions of law, including,  
38 but not limited to, the following:

39 (1) The wishes of the child's parents as to custody  
40 and the proposed parenting plan submitted by both parties;

41 (2) [The needs of the child for a frequent, continuing  
42 and meaningful relationship with both parents and the  
43 ability and willingness of parents to actively perform their  
44 functions as mother and father for the needs of the child]

45 The nature and quality of the child's existing relationship  
46 with each parent, including, but not limited to, the child's  
47 need for continuity, stability, and emotional security, and  
48 the ability and willingness of each parent to actively  
49 perform caregiving functions for the needs of the child. In

50 evaluating this factor, the court may consider, but shall  
51 not be required to treat as a presumptive or paramount  
52 concern, the frequency or quantity of contact between the  
53 child and each parent, and shall instead weigh the overall  
54 quality of each parent-child relationship against all other  
55 factors enumerated in this subsection;

56 (3) The interaction and interrelationship of the child  
57 with parents, siblings, and any other person who may  
58 significantly affect the child's best interests;

59 (4) Which parent is more likely to allow the child  
60 frequent, continuing and meaningful contact with the other  
61 parent;

62 (5) The child's adjustment to the child's home,  
63 school, and community. The fact that a parent sends his or  
64 her child or children to a home school or FPE school shall  
65 not be the sole factor that a court considers in determining  
66 custody of such child or children;

67 (6) The mental and physical health of all individuals  
68 involved, including any history of abuse of any individuals  
69 involved. Where credible evidence is presented that a  
70 parent has a current or prior diagnosis of a mental health  
71 condition that may affect parenting capacity, the court  
72 shall affirmatively evaluate the following:

73 (a) The nature and severity of the diagnosed condition;

74 (b) Whether the parent is currently engaged in  
75 treatment with a licensed mental health professional,  
76 including, but not limited to, psychotherapy, counseling,  
77 psychiatric care, or medication management;

78 (c) The parent's degree of compliance with any  
79 prescribed or recommended treatment plan, including  
80 medication adherence, therapy attendance, and follow-up care;

81           (d) The extent to which the condition, if inadequately  
82 treated or unmanaged, poses a risk to the child's physical  
83 safety, emotional well-being, or developmental needs; and

84           (e) Any expert testimony or reports from licensed  
85 mental health professionals regarding the parent's current  
86 functioning, prognosis, and fitness to exercise custodial or  
87 visitation responsibilities.

88 A diagnosis of a mental health condition alone shall not be  
89 grounds for denying custody or visitation; however, a  
90 parent's demonstrated pattern of noncompliance with  
91 treatment, including medication adherence, or refusal to  
92 engage in recommended treatment when noncompliance has  
93 resulted in behavior detrimental to the child, may be  
94 considered as a factor weighing against an award of custody  
95 or unsupervised visitation to that parent. If the court  
96 finds that a pattern of domestic violence as defined in  
97 section 455.010 has occurred, and, if the court also finds  
98 that awarding custody to the abusive parent is in the best  
99 interest of the child, then the court shall enter written  
100 findings of fact and conclusions of law. Custody and  
101 visitation rights shall be ordered in a manner that best  
102 protects the child and any other child or children for whom  
103 the parent has custodial or visitation rights, and the  
104 parent or other family or household member who is the victim  
105 of domestic violence from any further harm;

106           (7) The child's need for stability, continuity of  
107 care, and consistent routine, as well as the capacity of  
108 each parent to provide a safe, stable, and developmentally  
109 appropriate environment;

110           (8) The intention of either parent to relocate the  
111 principal residence of the child; and

112            [(8)] (9) The unobstructed input of a child, free of  
113 coercion and manipulation, as to the child's custodial  
114 arrangement;

115            (10) Whether the child's present or past living  
116 conditions have had, or are likely to have, an adverse  
117 effect on the child's physical, mental, moral, or emotional  
118 health or development, including, but not limited to,  
119 exposure to substance abuse, domestic violence, or chronic  
120 instability in the household;

121            (11) The ability of each parent to encourage and  
122 facilitate a close and continuing relationship between the  
123 child and the other parent, except where such contact would  
124 be harmful to the child, and the willingness of each parent  
125 to support the child's relationship with the other parent in  
126 a manner free of manipulation, disparagement, or coercion;

127            (12) Whether the past pattern of involvement of each  
128 parent with the child reflects a time commitment and mutual  
129 support that serves the child's developmental needs, and the  
130 extent to which each parent has historically participated in  
131 caregiving, decision-making, and engagement with the child's  
132 educational, medical, and extracurricular activities;

133            (13) The ability of each parent to place the needs of  
134 the child ahead of his or her own needs, including the  
135 parent's demonstrated capacity for prioritizing the child's  
136 emotional security, developmental requirements, and day-to-  
137 day welfare over personal preferences or conflicts with the  
138 other parent; and

139            (14) The impact of any history of domestic violence,  
140 as defined in section 455.010, on the child, regardless of  
141 whether the child was a direct victim, including the effects  
142 of exposure to coercive control, intimidation, or fear  
143 within the household on the child's emotional,  
144 psychological, and behavioral functioning.

145           3. (1) In any court proceedings relating to custody  
146 of a child, the court shall not award custody or  
147 unsupervised visitation of a child to a parent if such  
148 parent or any person residing with such parent has been  
149 found guilty of, or pled guilty to, any of the following  
150 offenses when a child was the victim:

151           (a) A felony violation of section 566.030, 566.031,  
152 566.032, 566.060, 566.061, 566.062, 566.064, 566.067,  
153 566.068, 566.083, 566.100, 566.101, 566.111, 566.151,  
154 566.203, 566.206, 566.209, 566.211, or 566.215;

155           (b) A violation of section 568.020;

156           (c) A violation of subdivision (2) of subsection 1 of  
157 section 568.060;

158           (d) A violation of section 568.065;

159           (e) A violation of section 573.200;

160           (f) A violation of section 573.205; or

161           (g) A violation of section 568.175.

162           (2) For all other violations of offenses in chapters  
163 566 and 568 not specifically listed in subdivision (1) of  
164 this subsection or for a violation of an offense committed  
165 in another state when a child is the victim that would be a  
166 violation of chapter 566 or 568 if committed in Missouri,  
167 the court may exercise its discretion in awarding custody or  
168 visitation of a child to a parent if such parent or any  
169 person residing with such parent has been found guilty of,  
170 or pled guilty to, any such offense.

171           4. The general assembly finds and declares that it is  
172 the public policy of this state that [frequent, continuing  
173 and meaningful contact with both parents after the parents  
174 have separated or dissolved their marriage is in the best  
175 interest of the child, except for cases where the court  
176 specifically finds that such contact is not in the best  
177 interest of the child, and that it is the public policy of

178 this state to encourage parents to participate in decisions  
179 affecting the health, education and welfare of their  
180 children, and to resolve disputes involving their children  
181 amicably through alternative dispute resolution], when  
182 consistent with the best interests of the child, maintaining  
183 a meaningful relationship with both parents after the  
184 parents have separated or dissolved their marriage should be  
185 facilitated by the court. This policy shall not operate as  
186 a presumption in favor of any particular custody  
187 arrangement, and the court retains full discretion to  
188 determine that the child's safety, emotional well-being,  
189 developmental needs, or other best-interest factors outweigh  
190 the interest in maximizing parenting time with both  
191 parents. It is further the public policy of this state to  
192 encourage parents to participate in decisions affecting the  
193 health, education, and welfare of their children, and to  
194 resolve disputes involving their children amicably through  
195 alternative dispute resolution. In order to effectuate  
196 these policies, the general assembly encourages the court to  
197 enter a temporary parenting plan as early as practicable in  
198 a proceeding under this chapter, consistent with the  
199 provisions of subsection 2 of this section, and, in so  
200 doing, the court shall determine the custody arrangement  
201 [which will best assure both parents participate in such  
202 decisions and have frequent, continuing and meaningful  
203 contact with their children so long as it is in the best  
204 interests of the child] that best serves the child's overall  
205 well-being as measured by the totality of the factors  
206 enumerated in subsection 2 of this section.

207 5. Prior to awarding the appropriate custody  
208 arrangement in the best interest of the child, the court  
209 shall consider each of the following as follows:

210 (1) Joint physical and joint legal custody to both  
211 parents, which shall not be denied solely for the reason  
212 that one parent opposes a joint physical and joint legal  
213 custody award. The residence of one of the parents shall be  
214 designated as the address of the child for mailing and  
215 educational purposes;

216 (2) Joint physical custody with one party granted sole  
217 legal custody. The residence of one of the parents shall be  
218 designated as the address of the child for mailing and  
219 educational purposes;

220 (3) Joint legal custody with one party granted sole  
221 physical custody;

222 (4) Sole custody to either parent; or

223 (5) Third-party custody or visitation:

224 (a) When the court finds that each parent is unfit,  
225 unsuitable, or unable to be a custodian, or the welfare of  
226 the child requires, and it is in the best interests of the  
227 child, then custody, temporary custody or visitation may be  
228 awarded to a person related by consanguinity or affinity to  
229 the child with priority given to the grandparent or  
230 grandparents of the child. If no person related to the  
231 child by consanguinity or affinity is willing to accept  
232 custody, then the court may award custody to any other  
233 person or persons deemed by the court to be suitable and  
234 able to provide an adequate and stable environment for the  
235 child. Before the court awards custody, temporary custody  
236 or visitation to a third person under this subdivision, the  
237 court shall make that person a party to the action;

238 (b) Under the provisions of this subsection, any  
239 person may petition the court to intervene as a party in  
240 interest at any time as provided by supreme court rule.

241 6. If the parties have not agreed to a custodial  
242 arrangement, or the court determines such arrangement is not

243 in the best interest of the child, the court shall include a  
244 written finding in the judgment or order based on the public  
245 policy in subsection 4 of this section and each of the  
246 factors listed in subdivisions (1) to ~~[(8)]~~ (14) of  
247 subsection 2 of this section detailing the specific relevant  
248 factors that made a particular arrangement in the best  
249 interest of the child. If a proposed custodial arrangement  
250 is rejected by the court, the court shall include a written  
251 finding in the judgment or order detailing the specific  
252 relevant factors resulting in the rejection of such  
253 arrangement.

254 7. Upon a finding by the court that either parent has  
255 refused to exchange information with the other parent, which  
256 shall include but not be limited to information concerning  
257 the health, education and welfare of the child, the court  
258 shall order the parent to comply immediately and to pay the  
259 prevailing party a sum equal to the prevailing party's cost  
260 associated with obtaining the requested information, which  
261 shall include but not be limited to reasonable attorney's  
262 fees and court costs.

263 8. As between the parents of a child, no preference  
264 may be given to either parent in the awarding of custody  
265 because of that parent's age, sex, or financial status, nor  
266 because of the age or sex of the child. The court shall not  
267 presume that a parent, solely because of his or her sex, is  
268 more qualified than the other parent to act as a joint or  
269 sole legal or physical custodian for the child.

270 9. Any judgment providing for custody shall include a  
271 specific written parenting plan setting forth the terms of  
272 such parenting plan arrangements specified in subsection 8  
273 of section 452.310. Such plan may be a parenting plan  
274 submitted by the parties pursuant to section 452.310 or, in  
275 the absence thereof, a plan determined by the court, but in

276 all cases, the custody plan approved and ordered by the  
277 court shall be in the court's discretion and shall be in the  
278 best interest of the child.

279 10. [After August 28, 2016,] Every court order  
280 establishing or modifying custody or visitation shall  
281 include the following language: "In the event of  
282 noncompliance with this order, the aggrieved party may file  
283 a verified motion for contempt. If custody, visitation, or  
284 third-party custody is denied or interfered with by a parent  
285 or third party without good cause, the aggrieved person may  
286 file a family access motion with the court stating the  
287 specific facts that constitute a violation of the custody  
288 provisions of the judgment of dissolution, legal separation,  
289 or judgment of paternity. The circuit clerk will provide  
290 the aggrieved party with an explanation of the procedures  
291 for filing a family access motion and a simple form for use  
292 in filing the family access motion. A family access motion  
293 does not require the assistance of legal counsel to prepare  
294 and file."

295 11. No court shall adopt any local rule, form, or  
296 practice requiring a standardized or default parenting plan  
297 for interim, temporary, or permanent orders or judgments.  
298 Notwithstanding any other provision of law to the contrary,  
299 a court may enter an interim order in a proceeding under  
300 this chapter, provided that the interim order shall not  
301 contain any provisions about child custody or a parenting  
302 schedule or plan without first providing the parties with  
303 notice and a hearing, unless the parties otherwise agree.

304 12. Unless a parent has been denied custody rights  
305 pursuant to this section or visitation rights under section  
306 452.400, both parents shall have access to records and  
307 information pertaining to a minor child including, but not  
308 limited to, medical, dental, and school records. If the

309 parent without custody has been granted restricted or  
310 supervised visitation because the court has found that the  
311 parent with custody or any child has been the victim of  
312 domestic violence, as defined in section 455.010, by the  
313 parent without custody, the court may order that the reports  
314 and records made available pursuant to this subsection not  
315 include the address of the parent with custody or the  
316 child. A court shall order that the reports and records  
317 made available under this subsection not include the address  
318 of the parent with custody if the parent with custody is a  
319 participant in the address confidentiality program under  
320 section 589.663. Unless a parent has been denied custody  
321 rights pursuant to this section or visitation rights under  
322 section 452.400, any judgment of dissolution or other  
323 applicable court order shall specifically allow both parents  
324 access to such records and reports.

325 13. Except as otherwise precluded by state or federal  
326 law, if any individual, professional, public or private  
327 institution or organization denies access or fails to  
328 provide or disclose any and all records and information,  
329 including, but not limited to, past and present dental,  
330 medical and school records pertaining to a minor child, to  
331 either parent upon the written request of such parent, the  
332 court shall, upon its finding that the individual,  
333 professional, public or private institution or organization  
334 denied such request without good cause, order that party to  
335 comply immediately with such request and to pay to the  
336 prevailing party all costs incurred, including, but not  
337 limited to, attorney's fees and court costs associated with  
338 obtaining the requested information.

339 14. An award of joint custody does not preclude an  
340 award of child support pursuant to section 452.340 and  
341 applicable supreme court rules. The court shall consider

342 the factors contained in section 452.340 and applicable  
343 supreme court rules in determining an amount reasonable or  
344 necessary for the support of the child.

345 15. If the court finds that domestic violence or abuse  
346 as defined in section 455.010 has occurred, the court shall  
347 make specific findings of fact to show that the custody or  
348 visitation arrangement ordered by the court best protects  
349 the child and the parent or other family or household member  
350 who is the victim of domestic violence, as defined in  
351 section 455.010, and any other children for whom such parent  
352 has custodial or visitation rights from any further harm.

452.381. 1. During the pendency of an action seeking  
2 a modification of any judgment pertaining to child custody  
3 or visitation, upon the motion of any party and with notice  
4 to all other parties and after a hearing, the court may make  
5 temporary orders relative to the custody and visitation of  
6 the child subject to the judgment being modified. Any such  
7 order shall remain in effect until the disposition of the  
8 motion to modify or until further order of the court.

9 2. Notwithstanding the provisions of subsection 1 of  
10 this section to the contrary, an order entered relative to  
11 custody or visitation under this section may be entered  
12 without notice to opposing parties if the court finds that  
13 an emergency exists, the nature of which requires the court  
14 to act before opposing parties can be heard in opposition,  
15 including, but not limited to, an emergency in which the  
16 child faces immediate or imminent risk of physical harm,  
17 emotional harm, psychological injury, or medical neglect  
18 because of:

19 (1) A parent's deteriorating mental health, as  
20 evidenced by observable behavior, professional reports, or  
21 other credible evidence;

22           (2) A parent's failure to comply with a prescribed or  
23 recommended treatment plan for a diagnosed mental health  
24 condition, where such noncompliance has resulted in or is  
25 reasonably likely to result in conduct that endangers the  
26 child;

27           (3) Reports from licensed medical or mental health  
28 professionals indicating a parent's instability,  
29 decompensation, or inability to safely exercise custodial or  
30 visitation responsibilities;

31           (4) A pattern of emotional volatility, coercive  
32 behavior, or erratic conduct by a parent that creates a  
33 substantial risk of harm to the child; or

34           (5) A parent's refusal to submit to a mental health  
35 evaluation when ordered by the court pursuant to subsection  
36 7 of this section or section 452.375.

37 In all such cases, the order shall be for a period not to  
38 exceed fifteen days or upon further order of the court, and  
39 written notice of the issuance of any such order and the  
40 reasons for it shall be given to all parties, along with  
41 notice of the date, time, and place that a hearing on the  
42 continuation of the order will be held.

43           3. No temporary order shall deny parenting time to a  
44 parent or any other party granted custody or visitation  
45 under the judgment for which modification is sought, unless  
46 the court finds that parenting time is likely to cause  
47 physical or emotional harm to the child.

48           4. If temporary parenting time is ordered, the court  
49 may also order temporary child support or temporarily modify  
50 any existing child support orders if requested by any party.

51           5. A temporary parenting plan issued under this  
52 section shall not be determinative of the rights of the

53 parties or the child that are to be adjudicated at  
54 subsequent hearings in the proceeding.

55 6. Dismissal of the motion to modify shall  
56 automatically vacate any temporary order issued under this  
57 section.

58 7. In any proceeding under this section in which a  
59 parent's mental health is at issue, the court may order an  
60 independent mental health evaluation of any parent by a  
61 licensed mental health professional. The evaluator shall  
62 submit a written report to the court addressing the parent's  
63 current diagnosis, treatment compliance, functional capacity  
64 for parenting, and any recommended safeguards or conditions  
65 on custody or visitation. The cost of such evaluation shall  
66 be apportioned by the court as it deems equitable.

452.410. 1. Except as provided in subsection 2 of  
2 this section, the court shall not modify a prior custody  
3 decree unless it has jurisdiction under the provisions of  
4 section 452.745 and it finds, upon the basis of facts that  
5 have arisen since the prior decree or that were unknown to  
6 the court at the time of the prior decree, that a change has  
7 occurred in the circumstances of the child or his custodian  
8 and that the modification is necessary to serve the best  
9 interests of the child. Notwithstanding any other provision  
10 of this section or sections 452.375 and 452.400 to the  
11 contrary, any custody order entered by any court in this  
12 state or any other state may, subject to jurisdictional  
13 requirements, be modified to allow for joint custody or  
14 visitation only in accordance with section 452.375, 452.400,  
15 452.402, or 452.403.

16 2. If either parent files a motion to modify an award  
17 of joint legal custody or joint physical custody, each party  
18 shall be entitled to a change of judge as provided by  
19 supreme court rule.

20           3. If the parties have agreed to terms for  
21 modification of custody or visitation of the child, the  
22 parties may submit to the court a proposed parenting plan  
23 signed, under oath, by all parties having rights of custody  
24 or visitation under the existing custody or visitation  
25 judgment. The proposed plan shall be accompanied by a  
26 motion, signed under oath by all parties, requesting a  
27 modification of the existing parenting plan and no statement  
28 of any changes in circumstances shall be required. If the  
29 court determines that the proposed plan is in the child's  
30 best interests, then the court shall enter an order granting  
31 custody or visitation according to the proposed parenting  
32 plan as soon as possible following the filing.

33           4. As used in this section and in cases where one or  
34 more children subject to a custody order have special needs  
35 or disabilities, a change of circumstances may include one  
36 parent's neglect or harm of the best interests of the child  
37 or children with special needs or disabilities. A change of  
38 circumstances under this section may also include a  
39 custodial parent's failure to comply with a prescribed or  
40 recommended treatment plan for a diagnosed mental health  
41 condition, where such noncompliance has materially impaired  
42 the parent's ability to meet the particular caregiving,  
43 therapeutic, medical, or developmental needs of the child or  
44 children with special needs or disabilities. In evaluating  
45 a motion to modify under this section, the court shall  
46 consider any evidence of the parent's current mental health  
47 status, treatment compliance, and the impact of any  
48 noncompliance on the child's safety, stability, and access  
49 to necessary services.

          452.423. 1. In all proceedings for child custody or  
2 for dissolution of marriage or legal separation where  
3 custody, visitation, or support of a child is a contested

4 issue, the court may appoint a guardian ad litem.  
5 Disqualification of a guardian ad litem shall be ordered in  
6 any legal proceeding only pursuant to this chapter, upon the  
7 filing of a written application by any party within ten days  
8 of appointment[, or within ten days of August 28, 1998, if  
9 the appointment occurs prior to August 28, 1998]. Each  
10 party shall be entitled to one disqualification of a  
11 guardian ad litem appointed under this subsection in each  
12 proceeding, except a party may be entitled to additional  
13 disqualifications of a guardian ad litem for good cause  
14 shown.

15 2. The court shall appoint a guardian ad litem in any  
16 proceeding in which child abuse or neglect is alleged.

17 3. The guardian ad litem shall:

18 (1) Be the legal representative of the child at the  
19 hearing, and may examine, cross-examine, subpoena witnesses  
20 and offer testimony;

21 (2) Prior to the hearing, conduct all necessary  
22 interviews with persons having contact with or knowledge of  
23 the child in order to ascertain the child's wishes,  
24 feelings, attachments and attitudes. If appropriate, the  
25 child should be interviewed;

26 (3) Review relevant medical, educational, and  
27 therapeutic records and consult treating professionals when  
28 appropriate, assess special medical or developmental needs,  
29 and evaluate household stability and continuity of care; and

30 (4) Request the juvenile officer to cause a petition  
31 to be filed in the juvenile division of the circuit court if  
32 the guardian ad litem believes the child alleged to be  
33 abused or neglected is in danger.

34 4. The guardian ad litem shall submit a written report  
35 summarizing the investigative steps taken and the factual  
36 basis for any recommendations. The court shall review the

37 report to ensure compliance with the provisions of this  
38 section and any other duties required under law prior to  
39 adopting any of the recommendations contained within.

40 5. The appointing judge shall require the guardian ad  
41 litem to faithfully discharge such guardian ad litem's  
42 duties, and upon failure to do so shall discharge such  
43 guardian ad litem and appoint another. The judge in making  
44 appointments pursuant to this section shall give preference  
45 to persons who served as guardian ad litem for the child in  
46 the earlier proceeding, unless there is a reason on the  
47 record for not giving such preference.

48 [5.] 6. The guardian ad litem shall be awarded a  
49 reasonable fee for such services to be set by the court.  
50 The court, in its discretion, may:

51 (1) Issue a direct payment order to the parties. If a  
52 party fails to comply with the court's direct payment order,  
53 the court may find such party to be in contempt of court; or

54 (2) Award such fees as a judgment to be paid by any  
55 party to the proceedings or from public funds. Such an  
56 award of guardian fees shall constitute a final judgment in  
57 favor of the guardian ad litem. Such final judgment shall  
58 be enforceable against the parties in accordance with  
59 chapter 513.

60 7. A guardian ad litem appointed under this section  
61 shall have received training in child development, trauma-  
62 informed practices, domestic violence dynamics, coercive  
63 control, mental health disorders affecting parenting  
64 capacity, and considerations for children with special  
65 needs. Such training may be part of any training or  
66 education otherwise required of a guardian ad litem under  
67 law.

455.010. As used in this chapter, unless the context  
2 clearly indicates otherwise, the following terms shall mean:

3           (1) "Abuse", includes but is not limited to the  
4 occurrence of any of the following acts, attempts or threats  
5 against a person who may be protected pursuant to this  
6 chapter, except abuse shall not include abuse inflicted on a  
7 child by accidental means by an adult household member or  
8 discipline of a child, including spanking, in a reasonable  
9 manner:

10           (a) "Abusing a pet", purposely or knowingly causing,  
11 attempting to cause, or threatening to cause physical injury  
12 to a pet with the intent to control, punish, intimidate, or  
13 distress the petitioner;

14           (b) "Assault", purposely or knowingly placing or  
15 attempting to place another in fear of physical harm;

16           (c) "Battery", purposely or knowingly causing physical  
17 harm to another with or without a deadly weapon;

18           (d) "Coercion", compelling another by force or threat  
19 of force to engage in conduct from which the latter has a  
20 right to abstain or to abstain from conduct in which the  
21 person has a right to engage;

22           (e) "Harassment", engaging in a purposeful or knowing  
23 course of conduct involving more than one incident that  
24 alarms or causes distress to an adult or child and serves no  
25 legitimate purpose. The course of conduct must be such as  
26 would cause a reasonable adult or child to suffer  
27 substantial emotional distress and must actually cause  
28 substantial emotional distress to the petitioner or child.  
29 Such conduct might include, but is not limited to:

30           a. Following another about in a public place or places;

31           b. Peering in the window or lingering outside the  
32 residence of another; but does not include constitutionally  
33 protected activity;

34 (f) "Sexual assault", causing or attempting to cause  
35 another to engage involuntarily in any sexual act by force,  
36 threat of force, duress, or without that person's consent;

37 (g) "Unlawful imprisonment", holding, confining,  
38 detaining or abducting another person against that person's  
39 will;

40 (2) "Adult", any person [seventeen] eighteen years of  
41 age or older or otherwise emancipated;

42 (3) "Child", any person under [seventeen] eighteen  
43 years of age unless otherwise emancipated;

44 (4) "Court", the circuit or associate circuit judge or  
45 a family court commissioner;

46 (5) "Domestic violence", abuse or stalking committed  
47 by a family or household member, as such terms are defined  
48 in this section;

49 (6) "Ex parte order of protection", an order of  
50 protection issued by the court before the respondent has  
51 received notice of the petition or an opportunity to be  
52 heard on it;

53 (7) "Family" or "household member", spouses, former  
54 spouses, any person related by blood or marriage, persons  
55 who are presently residing together or have resided together  
56 in the past, any person who is or has been in a continuing  
57 social relationship of a romantic or intimate nature with  
58 the victim, and anyone who has a child in common regardless  
59 of whether they have been married or have resided together  
60 at any time;

61 (8) "Full order of protection", an order of protection  
62 issued after a hearing on the record where the respondent  
63 has received notice of the proceedings and has had an  
64 opportunity to be heard;

65 (9) "Order of protection", either an ex parte order of  
66 protection or a full order of protection;

67 (10) "Pending", exists or for which a hearing date has  
68 been set;

69 (11) "Pet", a living creature maintained by a  
70 household member for companionship and not for commercial  
71 purposes;

72 (12) "Petitioner", a family or household member who  
73 has been a victim of domestic violence, or any person who  
74 has been the victim of stalking or sexual assault, or a  
75 person filing on behalf of a child pursuant to section  
76 455.503 who has filed a verified petition pursuant to the  
77 provisions of section 455.020 or section 455.505;

78 (13) "Respondent", the family or household member  
79 alleged to have committed an act of domestic violence, or  
80 person alleged to have committed an act of stalking or  
81 sexual assault, against whom a verified petition has been  
82 filed or a person served on behalf of a child pursuant to  
83 section 455.503;

84 (14) "Sexual assault", as defined under subdivision  
85 (1) of this section;

86 (15) "Stalking", is when any person purposely engages  
87 in an unwanted course of conduct that causes alarm to  
88 another person, or a person who resides together in the same  
89 household with the person seeking the order of protection  
90 when it is reasonable in that person's situation to have  
91 been alarmed by the conduct. As used in this subdivision:

92 (a) "Alarm", to cause fear of danger of physical harm;  
93 and

94 (b) "Course of conduct", two or more acts that serve  
95 no legitimate purpose including, but not limited to, acts in  
96 which the stalker directly, indirectly, or through a third  
97 party follows, monitors, observes, surveils, threatens, or  
98 communicates to a person by any action, method, or device.

455.035. 1. Upon the filing of a verified petition  
2 pursuant to sections 455.010 to 455.085 and for good cause  
3 shown in the petition, the court may immediately issue an ex  
4 parte order of protection. An immediate and present danger  
5 of domestic violence to the petitioner or the child on whose  
6 behalf the petition is filed shall constitute good cause for  
7 purposes of this section. An ex parte order of protection  
8 entered by the court shall take effect when entered and  
9 shall remain in effect until there is valid service of  
10 process and a hearing is held on the motion. The court  
11 shall deny the ex parte order and dismiss the petition if  
12 the petitioner is not authorized to seek relief pursuant to  
13 section 455.020.

2. Failure to serve an ex parte order of protection on  
14 the respondent shall not affect the validity or  
15 enforceability of such order. If the respondent is less  
16 than ~~seventeen~~ eighteen years of age, unless otherwise  
17 emancipated, service of process shall be made upon a  
18 custodial parent or guardian of the respondent, or upon a  
19 guardian ad litem appointed by the court, requiring that the  
20 person appear and bring the respondent before the court at  
21 the time and place stated.  
22

3. If an ex parte order is entered and the respondent  
23 is less than ~~seventeen~~ eighteen years of age, the court  
24 shall transfer the case to juvenile court for a hearing on a  
25 full order of protection. The court shall appoint a  
26 guardian ad litem for any such respondent not represented by  
27 a parent or guardian.  
28

455.513. 1. The court may immediately issue an ex  
2 parte order of protection upon the filing of a verified  
3 petition under sections 455.500 to 455.538, for good cause  
4 shown in the petition, and upon finding that:

5 (1) No prior order regarding custody involving the  
6 respondent and the child is pending or has been made; or

7 (2) The respondent is less than ~~seventeen~~ eighteen  
8 years of age.

9 An immediate and present danger of domestic violence,  
10 including danger to the child's pet, stalking, or sexual  
11 assault to a child shall constitute good cause for purposes  
12 of this section. An ex parte order of protection entered by  
13 the court shall be in effect until the time of the hearing.  
14 The court shall deny the ex parte order and dismiss the  
15 petition if the petitioner is not authorized to seek relief  
16 pursuant to section 455.505.

17 2. Upon the entry of the ex parte order of protection,  
18 the court shall enter its order appointing a guardian ad  
19 litem or court-appointed special advocate to represent the  
20 child victim.

21 3. If the allegations in the petition would give rise  
22 to jurisdiction under section 211.031, the court may direct  
23 the children's division to conduct an investigation and to  
24 provide appropriate services. The division shall submit a  
25 written investigative report to the court and to the  
26 juvenile officer within thirty days of being ordered to do  
27 so. The report shall be made available to the parties and  
28 the guardian ad litem or court-appointed special advocate.

29 4. If the allegations in the petition would give rise  
30 to jurisdiction under section 211.031 because the respondent  
31 is less than ~~seventeen~~ eighteen years of age, the court  
32 may issue an ex parte order and shall transfer the case to  
33 juvenile court for a hearing on a full order of protection.  
34 Service of process shall be made pursuant to section 455.035.

476.051. By September 1, 2026, the office of state  
2 courts administrator shall execute a memorandum of

3 understanding with the department of social services that  
4 provides access to court orders and other information  
5 necessary for the children's division to maximize federal  
6 funding for children in the foster care program, including,  
7 but not limited to, funds available through Title IV-E of  
8 the Social Security Act. Such access shall be available to  
9 individuals designated by the department to ensure timely  
10 delivery of case information to relevant agencies.

2 Section 1. A municipal ordinance shall not prohibit  
3 the growth of helianthus annuus, an agricultural product,  
4 that is used for educational or home use.

2 [210.761. Any person who has provided  
3 foster care to a child at any time in a two-year  
4 period prior to any hearing concerning the child  
5 conducted pursuant to the provisions of sections  
6 210.700 to 210.760, shall be allowed to testify  
7 at such hearing. The court may limit such  
8 testimony to evidence the court finds relevant  
9 and material.]

2 [211.464. 1. Where a child has been  
3 placed with a foster parent, with relatives or  
4 with other persons who are able and willing to  
5 permanently integrate the child into the family  
6 by adoption, the court shall provide the  
7 opportunity for such foster parent, relative or  
8 other person to present evidence for the  
9 consideration of the court.]

9 2. Current foster parents or other legal  
10 custodians who are not seeking to adopt the  
11 child shall be given an opportunity to testify  
12 at all hearings regarding the child. Upon the  
13 filing of a petition concerning a minor child  
14 who is in the care of foster parents or other  
15 legal custodians, the court shall give notice to  
16 such foster parents or legal custodians of the  
17 filing, any future hearings held on such  
18 petition and their opportunity to testify at any  
19 subsequent hearings held in relation to such  
20 petition, unless such notice and opportunity is  
21 waived by such foster or custodial parent.]