

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1570

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANZ.

Read 1st time January 9, 2008 and copies ordered printed.

Read 2nd time January 10, 2008 and referred to the Special Committee on Family Services January 17, 2008.

Reported from the Special Committee on Family Services February 13, 2008 with recommendation that the bill Do Pass by Consent.
Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules February 21, 2008 with recommendation that the bill Do Pass by Consent with no time limit for debate.

Perfectured by Consent February 29, 2008.

D. ADAM CRUMBLISS, Chief Clerk

3143L.02P

AN ACT

To repeal section 488.2300, RSMo, and to enact in lieu thereof one new section relating to allowing the family services and justice fund to be used to fund guardian ad litem and informal adjustment services.

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

Section A. Section 488.2300, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 488.2300, to read as follows:

488.2300. 1. A "Family Services and Justice Fund" is hereby established in each county
2 or circuit with a family court, for the purpose of aiding with the operation of the family court
3 divisions and services provided by those divisions. In circuits or counties having a family court,
4 the circuit clerk shall charge and collect a surcharge of thirty dollars in all proceedings falling
5 within the jurisdiction of the family court. The surcharge shall not be charged when no court
6 costs are otherwise required, shall not be charged against the petitioner for actions filed pursuant
7 to the provisions of chapter 455, RSMo, but may be charged to the respondent in such actions,

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

8 shall not be charged to a government agency and shall not be charged in any proceeding when
9 costs are waived or are to be paid by the state, county or municipality.

10 2. In juvenile proceedings under chapter 211, RSMo, a judgment of up to thirty dollars
11 may be assessed against the child, parent or custodian of the child, in addition to other amounts
12 authorized by law, in informal adjustments made under the provisions of sections 211.081 and
13 211.083, RSMo, and in an order of disposition or treatment under the provisions of section
14 211.181, RSMo. The judgment may be ordered paid to the clerk of the circuit where the
15 assessment is imposed.

16 3. All sums collected pursuant to this section and section 487.140, RSMo, shall be
17 payable to the various county family services and justice funds.

18 4. Any moneys in the family services and justice fund not expended for salaries of
19 commissioners, family court administrators and family court staff shall be used toward funding
20 the enhanced services provided as a result of the establishment of a family court; however, it
21 shall not replace or reduce the current and ongoing responsibilities of the counties to provide
22 funding for the courts as required by law. Moneys collected for the family services and justice
23 fund shall be expended for the benefit of litigants and recipients of services in the family court,
24 with priority given to services such as **guardian ad litem**s, mediation, counseling, home studies,
25 psychological evaluation and other forms of alternative dispute-resolution services.
26 Expenditures shall be made at the discretion of the presiding judge or family court administrative
27 judge, as designated by the circuit and associate circuit judges en banc, for the implementation
28 of the family court system as set forth in this section. No moneys from the family services and
29 justice fund may be used to pay for mediation in any cause of action in which domestic violence
30 is alleged.

31 5. From the funds collected pursuant to this section and retained in the family services
32 and justice fund, each circuit or county in which a family court commissioner in addition to those
33 commissioners existing as juvenile court commissioners on August 28, 1993, have been
34 appointed pursuant to sections 487.020 to 487.040, RSMo, shall pay to and reimburse the state
35 for the actual costs of that portion of the salaries of family court commissioners appointed
36 pursuant to the provisions of sections 487.020 to 487.040, RSMo.

37 6. No moneys deposited in the family services and justice fund may be expended for
38 capital improvements.

✓