

SS HCS HB 1550 -- COURTS

This bill expands the jurisdiction of juvenile courts to include individuals who are 17 years of age for the sole purpose of status offenses by revising the definition of "child" and "adult." "Status offense" is defined as any offense described in Section 211.031.1(2), RSMo.

Parents are allowed to petition the circuit court to extend the jurisdiction of the juvenile court over the minor child until the child reaches 18 years of age and makes the expiration date of these provisions subject to the effective date of the changes to Section 211.021.

The provisions of Section 211.021 regarding the definitions of "child," "adult," and "status offense" become effective when spending by the state for juvenile officer and deputy juvenile officer full-time equivalents exceeds by \$1.9 million the amount spent in Fiscal Year 2007 and appropriations by the General Assembly to single first classification counties for juvenile court personnel costs exceeds by \$1.9 million the amount spent for the costs in Fiscal Year 2007.

Currently, no person younger than 17 years of age may be detained in a jail or other adult detention facility, but a municipal judge may request the juvenile court to order the commitment of a person younger than 17 years of age to a juvenile detention facility. The bill specifies that civil or criminal liability will not extend to any law enforcement officer, juvenile officer, school personnel, or court personnel for taking or failing to take any action involving a minor child who remains under the jurisdiction of the juvenile court if the action or failure to act was based on a good faith belief that the minor child is not under the jurisdiction of the juvenile court. These provisions are subject to the effective date of the changes to Section 211.021.

The Office of State Courts Administrator must conduct a study and report on the impact of changing the definition of "child" to include any person between 17 and 18 years of age alleged to have committed a status offense, including the average caseloads of juvenile officers for each judicial circuit and the number of children affected. The report must be submitted to the General Assembly by June 30, 2009.

The bill removes the requirement that Jackson County must reimburse the state for moneys received for the salary and benefits payable to the drug court commissioner in the 16th Judicial Circuit.

Currently, a jailer has the power to serve an arrest warrant on any person who is already an inmate in custody of the facility where the jailer is employed. The bill expands this power to include the service of civil process. The bill also authorizes a jailer to serve an arrest warrant or civil process on any person who surrenders himself or herself to the facility under an arrest warrant; to carry firearms when necessary for the proper discharge of his or her duties; and to arrest escaped prisoners and apprehend all persons who may be aiding and abetting an escapee while in the custody of the sheriff, as granted to any other law enforcement officer, if the person is authorized to act as a jailer by the sheriff.