

SECOND REGULAR SESSION

HOUSE BILL NO. 2121

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEVENSON.

4915L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 210.145, 210.150, and 210.152, RSMo, and to enact in lieu thereof three new sections relating to the child abuse and neglect registry, with a penalty provision.

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

Section A. Sections 210.145, 210.150, and 210.152, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 210.145, 210.150, and 210.152, to read as follows:

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

- (1) Ensuring the well-being and safety of the child in instances where child abuse or neglect has been alleged;
- (2) Promoting the preservation and reunification of children and families consistent with state and federal law;
- (3) Providing due process for those accused of child abuse or neglect; and
- (4) Maintaining an information system operating at all times, capable of receiving and maintaining reports. This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

2. The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within twenty-four hours and shall be classified based upon the reported risk and injury to the child. The division shall promulgate rules regarding the structured decision-making protocols to be utilized for all child abuse and neglect reports.

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.

17 3. Upon receipt of a report, the division shall determine if the report merits investigation,
18 including reports which if true would constitute a suspected violation of any of the following:
19 section 565.020, 565.021, 565.023, 565.024, or 565.050, RSMo, if the victim is a child less than
20 eighteen years of age, section 566.030 or 566.060, RSMo, if the victim is a child less than
21 eighteen years of age, or other crimes under chapter 566, RSMo, if the victim is a child less than
22 eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050,
23 RSMo, if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045,
24 568.050, 568.060, 568.080, or 568.090, RSMo, section 573.025, 573.035, 573.037, or 573.040,
25 RSMo, or an attempt to commit any such crimes. The division shall immediately communicate
26 all reports that merit investigation to its appropriate local office and any relevant information as
27 may be contained in the information system. The local division staff shall determine, through
28 the use of protocols developed by the division, whether an investigation or the family assessment
29 and services approach should be used to respond to the allegation. The protocols developed by
30 the division shall give priority to ensuring the well-being and safety of the child.

31 4. The local office shall contact the appropriate law enforcement agency immediately
32 upon receipt of a report which division personnel determine merits an investigation and provide
33 such agency with a detailed description of the report received. In such cases the local division
34 office shall request the assistance of the local law enforcement agency in all aspects of the
35 investigation of the complaint. The appropriate law enforcement agency shall either assist the
36 division in the investigation or provide the division, within twenty-four hours, an explanation
37 in writing detailing the reasons why it is unable to assist.

38 5. The local office of the division shall cause an investigation or family assessment and
39 services approach to be initiated in accordance with the protocols established in subsection 2 of
40 this section, except in cases where the sole basis for the report is educational neglect. If the
41 report indicates that educational neglect is the only complaint and there is no suspicion of other
42 neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the
43 report. If the report indicates the child is in danger of serious physical harm or threat to life, an
44 investigation shall include direct observation of the subject child within twenty-four hours of the
45 receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct
46 observation. If the parents of the child are not the alleged abusers, a parent of the child must be
47 notified prior to the child being interviewed by the division. If the abuse is alleged to have
48 occurred in a school or child-care facility the division shall not meet with the child in any school
49 building or child-care facility building where abuse of such child is alleged to have occurred.
50 When the child is reported absent from the residence, the location and the well-being of the child
51 shall be verified. For purposes of this subsection, child-care facility shall have the same meaning
52 as such term is defined in section 210.201.

53 6. The director of the division shall name at least one chief investigator for each local
54 division office, who shall direct the division response on any case involving a second or
55 subsequent incident regarding the same subject child or perpetrator. The duties of a chief
56 investigator shall include verification of direct observation of the subject child by the division
57 and shall ensure information regarding the status of an investigation is provided to the public
58 school district liaison. The public school district liaison shall develop protocol in conjunction
59 with the chief investigator to ensure information regarding an investigation is shared with
60 appropriate school personnel. The superintendent of each school district shall designate a
61 specific person or persons to act as the public school district liaison. Should the subject child
62 attend a nonpublic school the chief investigator shall notify the school principal of the
63 investigation. Upon notification of an investigation, all information received by the public
64 school district liaison or the school shall be subject to the provisions of the federal Family
65 Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34
66 C.F.R., Part 99.

67 7. The investigation shall include but not be limited to the nature, extent, and cause of
68 the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the
69 names and conditions of other children in the home, if any; the home environment and the
70 relationship of the subject child to the parents or other persons responsible for the child's care;
71 any indication of incidents of physical violence against any other household or family member;
72 and other pertinent data.

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

77 9. Upon completion of the investigation, if the division suspects that the report was made
78 maliciously or for the purpose of harassment, the division shall refer the report and any evidence
79 of malice or harassment to the local prosecuting or circuit attorney.

80 10. Multidisciplinary teams shall be used whenever conducting the investigation as
81 determined by the division in conjunction with local law enforcement. Multidisciplinary teams
82 shall be used in providing protective or preventive social services, including the services of law
83 enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and
84 other agencies, both public and private.

85 11. For all family support team meetings involving an alleged victim of child abuse or
86 neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian
87 of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be
88 provided notice and be permitted to attend all such meetings. Family members, other than

89 alleged perpetrators, or other community informal or formal service providers that provide
90 significant support to the child and other individuals may also be invited at the discretion of the
91 parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian
92 or custodian and the foster parents may request that other individuals, other than alleged
93 perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or
94 attends such team meetings, the division or the convenor of the meeting shall provide such
95 persons with notice of all such subsequent meetings involving the child. Families may determine
96 whether individuals invited at their discretion shall continue to be invited.

97 12. If the appropriate local division personnel determine after an investigation has begun
98 that completing an investigation is not appropriate, the division shall conduct a family
99 assessment and services approach. The division shall provide written notification to local law
100 enforcement prior to terminating any investigative process. The reason for the termination of
101 the investigative process shall be documented in the record of the division and the written
102 notification submitted to local law enforcement. Such notification shall not preclude nor prevent
103 any investigation by law enforcement.

104 13. If the appropriate local division personnel determines to use a family assessment and
105 services approach, the division shall:

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

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

116 (3) Commence an immediate investigation if at any time during the family assessment
117 and services approach the division determines that an investigation, as delineated in sections
118 210.109 to 210.183, is required. The division staff who have conducted the assessment may
119 remain involved in the provision of services to the child and family;

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

122 14. Within [thirty] **forty-five** days of an oral report of abuse or neglect, the local office
123 shall update the information in the information system. The information system shall contain,
124 at a minimum, the determination made by the division as a result of the investigation, identifying

information on the subjects of the report, those responsible for the care of the subject child and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If a child involved in a pending investigation dies, the investigation shall remain open until the division's investigation surrounding the death is completed. If the investigation is not completed within [thirty] **forty-five** days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be updated to reflect any subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

15. No determination of the division shall be entered in the central registry until:

(1) The alleged perpetrator fails to request review by the child abuse and neglect review board or trial de novo in the circuit court within the thirty-day period provided in subsection 3 of section 210.152; or

(2) A determination is made by the child abuse and neglect review board that the alleged perpetrator has committed child abuse or neglect.

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

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

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

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

[17.] **18.** In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services pursuant to [subdivision (d)] **paragraph (d) of subdivision (1)** of subsection 1 of section 211.031, RSMo, and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

[18.] **19.** The children's division is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021, RSMo, and chapter 536, RSMo, to carry out the provisions of sections 210.109 to 210.183.

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

210.150. 1. The children's division shall ensure the confidentiality of all reports and records made pursuant to sections 210.109 to 210.183 and maintained by the division, its local offices, the central registry, and other appropriate persons, officials, and institutions pursuant to sections 210.109 to 210.183. To protect the rights of the family and the child named in the report as a victim, the children's division shall establish guidelines which will ensure that any disclosure of information concerning the abuse and neglect involving that child is made only to persons or agencies that have a right to such information. The division may require persons to make written requests for access to records maintained by the division. The division shall only release information to persons who have a right to such information. The division shall notify persons receiving information pursuant to subdivisions (2), (7), (8) and (9) of subsection 2 of this section of the purpose for which the information is released and of the penalties for unauthorized dissemination of information. Such information shall be used only for the purpose for which the information is released.

2. Only the following persons shall have access to investigation records contained in the central registry:

16 (1) Appropriate federal, state or local criminal justice agency personnel, or any agent of
17 such entity, with a need for such information under the law to protect children from abuse or
18 neglect;

19 (2) A physician or a designated agent who reasonably believes that the child being
20 examined may be abused or neglected;

21 (3) Appropriate staff of the division and of its local offices, including interdisciplinary
22 teams which are formed to assist the division in investigation, evaluation and treatment of child
23 abuse and neglect cases or a multidisciplinary provider of professional treatment services for a
24 child referred to the provider;

25 (4) Any child named in the report as a victim, or a legal representative, or the parent, if
26 not the alleged perpetrator, or guardian of such person when such person is a minor, or is
27 mentally ill or otherwise incompetent, but the names of reporters shall not be furnished to
28 persons in this category. Prior to the release of any identifying information, the division shall
29 determine if the release of such identifying information may place a person's life or safety in
30 danger. If the division makes the determination that a person's life or safety may be in danger,
31 the identifying information shall not be released. The division shall provide a method for
32 confirming or certifying that a designee is acting on behalf of a subject;

33 (5) Any alleged perpetrator named in the report, but the names of reporters shall not be
34 furnished to persons in this category. Prior to the release of any identifying information, the
35 division shall determine if the release of such identifying information may place a person's life
36 or safety in danger. If the division makes the determination that a person's life or safety may be
37 in danger, the identifying information shall not be released. However, the investigation reports
38 will not be released to any alleged perpetrator with pending criminal charges arising out of the
39 facts and circumstances named in the investigation records until an indictment is returned or an
40 information filed, **or one year after the division has notified in writing to the prosecuting**
41 **attorney in the jurisdiction where the acts forming the basis of the report are alleged to**
42 **have occurred, whichever first occurs. The prosecuting attorney may petition the circuit**
43 **court of such jurisdiction to extend the one-year period for good cause shown for such time**
44 **as the court may determine is necessary to complete the investigation and to file any**
45 **appropriate charges;**

46 (6) A grand jury, juvenile officer, prosecuting attorney, law enforcement officer involved
47 in the investigation of child abuse or neglect, juvenile court or other court conducting abuse or
48 neglect or child protective proceedings or child custody proceedings, and other federal, state and
49 local government entities, or any agent of such entity, with a need for such information in order
50 to carry out its responsibilities under the law to protect children from abuse or neglect;

51 (7) Any person engaged in a bona fide research purpose, with the permission of the
52 director; provided, however, that no information identifying the child named in the report as a
53 victim or the reporters shall be made available to the researcher, unless the identifying
54 information is essential to the research or evaluation and the child named in the report as a victim
55 or, if the child is less than eighteen years of age, through the child's parent, or guardian provides
56 written permission;

57 (8) Any child-care facility; child-placing agency; residential-care facility, including
58 group homes; juvenile courts; public or private elementary schools; public or private secondary
59 schools; or any other public or private agency exercising temporary supervision over a child or
60 providing or having care or custody of a child who may request an examination of the central
61 registry from the division for all employees and volunteers or prospective employees and
62 volunteers, who do or will provide services or care to children. Any agency or business
63 recognized by the division or business which provides training and places or recommends people
64 for employment or for volunteers in positions where they will provide services or care to children
65 may request the division to provide an examination of the central registry. Such agency or
66 business shall provide verification of its status as a recognized agency. Requests for
67 examinations shall be made to the division director or the director's designee in writing by the
68 chief administrative officer of the above homes, centers, public and private elementary schools,
69 public and private secondary schools, agencies, or courts. The division shall respond in writing
70 to that officer. The response shall include information pertaining to the nature and disposition
71 of any report or reports of abuse or neglect revealed by the examination of the central registry.
72 This response shall not include any identifying information regarding any person other than the
73 alleged perpetrator of the abuse or neglect;

74 (9) Any parent or legal guardian who inquires about a child abuse or neglect report
75 involving a specific person or child-care facility who does or may provide services or care to a
76 child of the person requesting the information. Request for examinations shall be made to the
77 division director or the director's designee, in writing, by the parent or legal guardian of the child
78 and shall be accompanied with a signed and notarized release form from the person who does
79 or may provide care or services to the child. The notarized release form shall include the full
80 name, date of birth and Social Security number of the person who does or may provide care or
81 services to a child. The response shall include information pertaining to the nature and
82 disposition of any report or reports of abuse or neglect revealed by the examination of the central
83 registry. This response shall not include any identifying information regarding any person other
84 than the alleged perpetrator of the abuse or neglect. The response shall be given within ten
85 working days of the time it was received by the division;

86 (10) Any person who inquires about a child abuse or neglect report involving a specific
87 child-care facility, child-placing agency, residential-care facility, public and private elementary
88 schools, public and private secondary schools, juvenile court or other state agency. The
89 information available to these persons is limited to the nature and disposition of any report
90 contained in the central registry and shall not include any identifying information pertaining to
91 any person mentioned in the report;

92 (11) Any state agency acting pursuant to statutes regarding a license of any person,
93 institution, or agency which provides care for or services to children;

94 (12) Any child fatality review panel established pursuant to section 210.192 or any state
95 child fatality review panel established pursuant to section 210.195;

96 (13) Any person who is a tenure-track or full-time research faculty member at an
97 accredited institution of higher education engaged in scholarly research, with the permission of
98 the director. Prior to the release of any identifying information, the director shall require the
99 researcher to present a plan for maintaining the confidentiality of the identifying information.
100 The researcher shall be prohibited from releasing the identifying information of individual cases.

101 3. Only the following persons shall have access to records maintained by the division
102 pursuant to section 210.152 for which the division has received a report of child abuse and
103 neglect and which the division has determined that there is insufficient evidence or in which the
104 division proceeded with the family assessment and services approach:

105 (1) Appropriate staff of the division;

106 (2) Any child named in the report as a victim, or a legal representative, or the parent or
107 guardian of such person when such person is a minor, or is mentally ill or otherwise incompetent.
108 The names or other identifying information of reporters shall not be furnished to persons in this
109 category. Prior to the release of any identifying information, the division shall determine if the
110 release of such identifying information may place a person's life or safety in danger. If the
111 division makes the determination that a person's life or safety may be in danger, the identifying
112 information shall not be released. The division shall provide for a method for confirming or
113 certifying that a designee is acting on behalf of a subject;

114 (3) Any alleged perpetrator named in the report, but the names of reporters shall not be
115 furnished to persons in this category. Prior to the release of any identifying information, the
116 division shall determine if the release of such identifying information may place a person's life
117 or safety in danger. If the division makes the determination that a person's life or safety may be
118 in danger, the identifying information shall not be released. However, the investigation reports
119 will not be released to any alleged perpetrator with pending criminal charges arising out of the
120 facts and circumstances named in the investigation records until an indictment is returned or an
121 information filed, **or one year after the division has notified in writing to the prosecuting**

attorney in the jurisdiction where the acts forming the basis of the report are alleged to have occurred, whichever first occurs. The prosecuting attorney may petition the circuit court of such jurisdiction to extend the one-year period for good cause shown for such time as the court may determine is necessary to complete the investigation and to file any appropriate charges;

(4) Any child fatality review panel established pursuant to section 210.192 or any state child fatality review panel established pursuant to section 210.195;

(5) Appropriate criminal justice agency personnel or juvenile officer;

(6) Multidisciplinary agency or individual including a physician or physician's designee who is providing services to the child or family, with the consent of the parent or guardian of the child or legal representative of the child;

(7) Any person engaged in bona fide research purpose, with the permission of the director; provided, however, that no information identifying the subjects of the reports or the reporters shall be made available to the researcher, unless the identifying information is essential to the research or evaluation and the subject, or if a child, through the child's parent or guardian, provides written permission.

4. Any person who knowingly violates the provisions of this section, or who permits or encourages the unauthorized dissemination of information contained in the information system or the central registry and in reports and records made pursuant to sections 210.109 to 210.183, shall be guilty of a class A misdemeanor.

5. Nothing in this section shall preclude the release of findings or information about cases which resulted in a child fatality or near fatality. Such release is at the sole discretion of the director of the department of social services, based upon a review of the potential harm to other children within the immediate family.

210.152. 1. All identifying information, including telephone reports reported pursuant to section 210.145, relating to reports of abuse or neglect received by the division shall be retained by the division and removed from the records of the division as follows:

(1) For investigation reports contained in the central registry, identifying information shall be retained by the division;

(2) (a) For investigation reports initiated against a person required to report pursuant to section 210.115, where insufficient evidence of abuse or neglect is found by the division and where the division determines the allegation of abuse or neglect was made maliciously, for purposes of harassment or in retaliation for the filing of a report by a person required to report, identifying information shall be expunged by the division within forty-five days from the conclusion of the investigation;

12 (b) For investigation reports, where insufficient evidence of abuse or neglect is found
13 by the division and where the division determines the allegation of abuse or neglect was made
14 maliciously, for purposes of harassment or in retaliation for the filing of a report, identifying
15 information shall be expunged by the division within forty-five days from the conclusion of the
16 investigation;

17 (c) For investigation reports initiated by a person required to report under section
18 210.115, where insufficient evidence of abuse or neglect is found by the division, identifying
19 information shall be retained for five years from the conclusion of the investigation. For all other
20 investigation reports where insufficient evidence of abuse or neglect is found by the division,
21 identifying information shall be retained for two years from the conclusion of the investigation.

22

23 Such reports shall include any exculpatory evidence known by the division, including
24 exculpatory evidence obtained after the closing of the case. At the end of such time period, the
25 identifying information shall be removed from the records of the division and destroyed;

26 (3) For reports where the division uses the family assessment and services approach,
27 identifying information shall be retained by the division;

28 (4) For reports in which the division is unable to locate the child alleged to have been
29 abused or neglected, identifying information shall be retained for ten years from the date of the
30 report and then shall be removed from the records of the division.

31 2. Within ninety days after receipt of a report of abuse or neglect that is investigated, the
32 alleged perpetrator named in the report and the parents of the child named in the report, if the
33 alleged perpetrator is not a parent, shall be notified in writing of any determination made by the
34 division based on the investigation. The notice shall advise either:

35 (1) That the division has determined by a probable cause finding prior to August 28,
36 2004, or by a preponderance of the evidence after August 28, 2004, that abuse or neglect exists
37 and that the division shall retain all identifying information regarding the abuse or neglect; that
38 such information shall remain confidential and will not be released except to law enforcement
39 agencies, prosecuting or circuit attorneys, or as provided in section 210.150; that the alleged
40 perpetrator has [sixty] **thirty** days from the date of receipt of the notice to seek reversal of the
41 division's determination through a review by the child abuse and neglect review board as
42 provided in subsection 3 of this section; or

43 (2) That the division has not made a probable cause finding or determined by a
44 preponderance of the evidence that abuse or neglect exists.

45 3. Any person named in an investigation as a perpetrator who is aggrieved by a
46 determination of abuse or neglect by the division as provided in this section may seek an
47 administrative review by the child abuse and neglect review board pursuant to the provisions of

48 section 210.153. Such request for review shall be made within [sixty] **thirty** days of notification
49 of the division's decision under this section. In those cases where criminal charges arising out
50 of facts of the investigation are pending, the request for review shall be made within [sixty]
51 **thirty** days from [the court's final disposition or dismissal of the charges] **when an indictment**
52 **is returned, an information filed, dismissal of the charges, or after the division's release of**
53 **its investigative report to the alleged perpetrator under this section.**

54 4. In any such action for administrative review, the child abuse and neglect review board
55 shall sustain the division's determination if such determination was supported by evidence of
56 probable cause prior to August 28, 2004, or is supported by a preponderance of the evidence after
57 August 28, 2004, and is not against the weight of such evidence. The child abuse and neglect
58 review board hearing shall be closed to all persons except the parties, their attorneys and those
59 persons providing testimony on behalf of the parties.

60 5. If the alleged perpetrator is aggrieved by the decision of the child abuse and neglect
61 review board, the alleged perpetrator may seek de novo judicial review in the circuit court in the
62 county in which the alleged perpetrator resides and in circuits with split venue, in the venue in
63 which the alleged perpetrator resides, or in Cole County. If the alleged perpetrator is not a
64 resident of the state, proper venue shall be in Cole County. The case may be assigned to the
65 family court division where such a division has been established. The request for a judicial
66 review shall be made within [sixty] **thirty** days of notification of the decision of the child abuse
67 and neglect review board decision. In reviewing such decisions, the circuit court shall provide
68 the alleged perpetrator the opportunity to appear and present testimony. The alleged perpetrator
69 may subpoena any witnesses except the alleged victim or the reporter. However, the circuit court
70 shall have the discretion to allow the parties to submit the case upon a stipulated record.

71 6. In any such action for administrative review, the child abuse and neglect review board
72 shall notify the child or the parent, guardian or legal representative of the child that a review has
73 been requested.

✓