

## HB 2330 -- Duties of the Office of the Child Advocate

Sponsor: Franz

This bill changes the laws regarding the duties of the Office of the Child Advocate within the Office of Administration. The bill gives the office the authority to:

- (1) Communicate privately with child care providers, health care providers, and educational institutions providing treatment and services to a child under protective services;
- (2) Join as a party to all court proceedings after making an appearance in a court on the case of a child in protective custody of the state and prepare independent recommendations to the court after consulting with the juvenile office and guardian ad litem and, if appointed, the court appointed special advocate;
- (3) File any pleadings necessary in order to intervene on behalf of a child at the appropriate judicial level using the resources of the Office of the Attorney General; and
- (4) Convene meetings with the departments of Social Services and Mental Health, the juvenile court, and juvenile officers and make recommendations to them for necessary action.

The office is subject to the same disclosure restrictions and confidentiality requirements that apply to the Children's Division within the Department of Social Services regarding information obtained during a child abuse and neglect investigation except that any findings and recommendations resulting from the investigation may be released upon request with the names and other identifying information redacted.

The bill requires the office to establish and implement procedures for the resolution of complaints. Currently, the office is required to do this whenever it is possible. The office, at its discretion, must seek to be joined as a party to the case of a child or children in the state's custody when it feels that the action is necessary to ensure the health, safety, welfare, or human rights of the child. Requests for joining as a party must be honored by the court with jurisdiction in the case.

The annual detailed report on the work of the office that is to be submitted to the Governor, General Assembly, and Missouri Supreme Court must also include the number of complaints in which the office needed to take legal action to protect children.