

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 871, Page 1, Section A, Line 3, by  
2 inserting after all of said section and line the following:

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

7 (1) No prior order regarding custody involving the respondent and the child is pending or  
8 has been made; or [that]

9 (2) The respondent is less than seventeen years of age[, ~~the court may immediately issue an~~  
10 ~~ex parte order of protection~~].

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

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

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

22 4. If the allegations in the petition would give rise to jurisdiction under section 211.031  
23 because the respondent is less than seventeen years of age, the court may issue an ex parte order and  
24 shall transfer the case to juvenile court for a hearing on a full order of protection. Service of  
25 process shall be made pursuant to section 455.035."; and

26  
27 Further amend said bill by amending the title, enacting clause, and intersectional references  
28 accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_