

HB 381 -- PETITION FOR REVIEW IN CERTAIN CASES

SPONSOR: Ellebracht

Currently, in certain contested cases, the findings and order of the hearing officer shall be the decision of the director. Any parent or person having custody of the child adversely affected by the decision may obtain judicial review by filing a petition for review in the circuit court of proper venue within 30 days of mailing of the decision. This bill specifies that the 30 days shall be calculated as provided under Missouri Supreme Court Rule 44.01(e).

Similarly, in administrative cases where the law provides for an independent review of an agency's decision by a board other than the administrative hearing commission and further provides for a de novo review of the board's decision by the circuit court, a party aggrieved by the agency's decision may, within 30 days after it receives notice of that decision, waive independent review by the board and instead file a petition in the circuit court for the de novo review of the agency's decision. The bill specifies that such 30 days shall be calculated as provided under Missouri Supreme Court Rule 44.01(e).