HCS SS SCS SB 71 -- CIVIL PROCEEDINGS

This bill specifies that a parent, guardian ad litem, or juvenile officer may appeal any order changing or modifying the placement of a child.

The bill also specifies that, adult protection orders and child protection orders, full or ex parte, may be granted to restrain or enjoin an individual from committing or threatening to commit abuse against a pet. A protection order may include an order of possession of the pet where appropriate, as well as any funds needed to cover the medical costs resulting from abuse of the pet. "Pet" is defined in this bill as a living creature maintained by a household member for companionship and not for commercial purposes.

Currently, a court may issue a full adult order of protection, after a hearing, for at least 180 days and not exceeding one year. This bill specifies that, if the court finds, after an evidentiary hearing, that the respondent poses a serious danger to the physical or mental health of the petitioner or a minor household member, the protective order will be valid for at least two years and not more than 10 years. The full order may be renewed annually for a period of at least 180 days and not more than one year from the expiration date of the previously issued order. However, in cases where the court finds the respondent poses a serious danger to the petitioner or a minor household member, the order may be renewed periodically and will be valid for at least two years and up to the life of the respondent. The court may include a provision that any full order of protection will be automatically renewed for any term of renewal as set forth in this bill.

If a court finds that the respondent poses a serious risk to the petitioner or a minor household member, the court must not modify the order until at least two years from the date of the original full order of protection was issued and only after a hearing and a written finding that the respondent has shown proof of treatment and rehabilitation and no longer poses a serious danger.

Currently, the clerk issues a copy of any order of protection to the local law enforcement agency responsible for maintaining the Missouri Uniform Law Enforcement System (MULES) the same day the order is granted and the local law enforcement agency enters the information contained in the order into MULES. This bill specifies that the court must provide all the necessary information regarding the order of protection for entry into MULES and the National Crime Information Center (NCIC). The sheriff must enter the information into MULES within 24 hours and MULES must forward that information to NCIC, thus making the order viewable in the National Instant Criminal Background Check System (NICS). The bill also specifies the sections of statute under which joint custody or visitation orders may be modified.