

HB 390 -- GUARDIANS AD LITEM

SPONSOR: Murphy

This bill establishes requirements for guardians ad litem (GAL). The appointment of a GAL in a proceeding for child custody or for dissolution of marriage or legal separation where child custody, visitation, or support of a child is a contested issue may be for a limited purpose if made on the court's own motion, the motion of a party, or by agreement of the parties. If the appointment is for a limited purpose, the GAL will not have authority to address matters outside the limited purpose. Within 21 days of appointment, a GAL must meet face-to-face with the custodial guardians and the child and provide the custodial guardians with a copy of the Missouri Supreme Court standards governing GAL. The guardian must continue to maintain contact with the child throughout the appointment, and the duty cannot be designated to a volunteer advocate or other person; however, this does not prohibit a volunteer advocate from meeting with the child.

The bill also establishes procedures for disqualifying a GAL and causes for which a GAL may be disqualified.

In all proceedings in which child abuse or neglect is alleged, the court must appoint a GAL, and the appointment will be a limited purpose appointment and it will be limited to the purpose of conducting special investigations to assist the court in determining the best interests of the child. The bill specifies certain requirements for a GAL appointed in such a proceeding.

On or before January 1, 2024, the Office of Chief Disciplinary Counsel (OCDC) must establish a complaint procedure for parties dissatisfied with the services of a GAL, and the procedure must be in writing and made available to the public.

The bill establishes standards to which family and juvenile courts and GALs appointed by such courts must adhere.

This bill is similar to HB 1315 (2021).