

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1443

91ST GENERAL ASSEMBLY

Reported from the Committee on Aging, Families and Mental Health, April 25, 2002, with recommendation that the Senate Committee Substitute do pass.

3865S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 210.145, 211.031 and 211.181, RSMo, and to enact in lieu thereof four new sections relating to child abandonment.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 210.145, 211.031 and 211.181, RSMo, are repealed and four
2 new sections enacted in lieu thereof, to be known as sections 210.145, 210.950, 211.031
3 and 211.181, to read as follows:

210.145. 1. The division shall establish and maintain an information system
2 operating at all times, capable of receiving and maintaining reports. This information
3 system shall have the ability to receive reports over a single, statewide toll-free
4 number. Such information system shall maintain the results of all investigations, family
5 assessments and services, and other relevant information.

6 2. Upon receipt of a report, the division shall immediately communicate such
7 report to its appropriate local office and any relevant information as may be contained
8 in the information system. The local division staff shall determine, through the use of
9 protocols developed by the division, whether an investigation or the family assessment
10 and services approach should be used to respond to the allegation. The protocols
11 developed by the division shall give priority to ensuring the well-being and safety of the
12 child.

13 3. The local office shall contact the appropriate law enforcement agency
14 immediately upon receipt of a report which division personnel determine merits an

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 investigation, or, which, if true, would constitute a suspected violation of any of the
16 following: section 565.020, 565.021, 565.023, 565.024 or 565.050, RSMo, if the victim is
17 a child less than eighteen years of age, section 566.030 or 566.060, RSMo, if the victim
18 is a child less than eighteen years of age, or other crime under chapter 566, RSMo, if the
19 victim is a child less than eighteen years of age and the perpetrator is twenty-one years
20 of age or older, section 567.050, RSMo, if the victim is a child less than eighteen years
21 of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, RSMo,
22 section 573.025, 573.037 or 573.045, RSMo, or an attempt to commit any such
23 crimes. The local office shall provide such agency with a detailed description of the
24 report received. In such cases the local division office shall request the assistance of the
25 local law enforcement agency in all aspects of the investigation of the complaint. The
26 appropriate law enforcement agency shall either assist the division in the investigation
27 or provide the division, within twenty-four hours, an explanation in writing detailing the
28 reasons why it is unable to assist.

29 4. The local office of the division shall cause an investigation or family
30 assessment and services approach to be initiated immediately or no later than within
31 twenty-four hours of receipt of the report from the division, except in cases where the
32 sole basis for the report is educational neglect. If the report indicates that educational
33 neglect is the only complaint and there is no suspicion of other neglect or abuse, the
34 investigation shall be initiated within seventy-two hours of receipt of the report. If the
35 report indicates the child is in danger of serious physical harm or threat to life, an
36 investigation shall include direct observation of the subject child within twenty-four
37 hours of the receipt of the report. Local law enforcement shall take all necessary steps
38 to facilitate such direct observation. When the child is reported absent from the
39 residence, the location and the well-being of the child shall be verified.

40 5. The director of the division shall name at least one chief investigator for each
41 local division office, who shall direct the division response on any case involving a second
42 or subsequent incident regarding the same subject child or perpetrator. The duties of
43 a chief investigator shall include verification of direct observation of the subject child by
44 the division and shall ensure information regarding the status of an investigation is
45 provided to the public school district liaison. The public school district liaison shall
46 develop protocol in conjunction with the chief investigator to ensure information
47 regarding an investigation is shared with appropriate school personnel. The public
48 school district liaison shall be designated by the superintendent of each school
49 district. Should the subject child attend a nonpublic school the chief investigator shall
50 notify the school principal of the investigation.

51 6. The investigation shall include but not be limited to the nature, extent, and
52 cause of the abuse or neglect; the identity and age of the person responsible for the abuse
53 or neglect; the names and conditions of other children in the home, if any; the home
54 environment and the relationship of the subject child to the parents or other persons
55 responsible for the child's care; any indication of incidents of physical violence against
56 any other household or family member; and other pertinent data.

57 7. When a report has been made by a person required to report under section
58 210.115, the division shall contact the person who made such report within forty-eight
59 hours of the receipt of the report in order to ensure that full information has been
60 received and to obtain any additional information or medical records, or both, that may
61 be pertinent.

62 8. Upon completion of the investigation, if the division suspects that the report
63 was made maliciously or for the purpose of harassment, the division shall refer the
64 report and any evidence of malice or harassment to the local prosecuting or circuit
65 attorney.

66 9. Multidisciplinary teams shall be used whenever conducting the investigation
67 as determined by the division in conjunction with local law
68 enforcement. Multidisciplinary teams shall be used in providing protective or preventive
69 social services, including the services of law enforcement, a liaison of the local public
70 school, the juvenile officer, the juvenile court, and other agencies, both public and
71 private.

72 10. If the appropriate local division personnel determine after an investigation
73 has begun that completing an investigation is not appropriate, the division shall conduct
74 a family assessment and services approach. The division shall provide written
75 notification to local law enforcement prior to terminating any investigative process. The
76 reason for the termination of the investigative process shall be documented in the record
77 of the division and the written notification submitted to local law enforcement. Such
78 notification shall not preclude nor prevent any investigation by law enforcement.

79 11. If the appropriate local division personnel determines to use a family
80 assessment and services approach, the division shall:

81 (1) Assess any service needs of the family. The assessment of risk and service
82 needs shall be based on information gathered from the family and other sources;

83 (2) Provide services which are voluntary and time-limited unless it is determined
84 by the division based on the assessment of risk that there will be a high risk of abuse
85 or neglect if the family refuses to accept the services. The division shall identify services
86 for families where it is determined that the child is at high risk of future abuse or

87 neglect. The division shall thoroughly document in the record its attempt to provide
88 voluntary services and the reasons these services are important to reduce the risk of
89 future abuse or neglect to the child. If the family continues to refuse voluntary services
90 or the child needs to be protected, the division may commence an investigation;

91 (3) Commence an immediate investigation if at any time during the family
92 assessment and services approach the division determines that an investigation, as
93 delineated in sections 210.109 to 210.183, is required. The division staff who have
94 conducted the assessment may remain involved in the provision of services to the child
95 and family;

96 (4) Document at the time the case is closed, the outcome of the family assessment
97 and services approach, any service provided and the removal of risk to the child, if it
98 existed.

99 12. Within thirty days of an oral report of abuse or neglect, the local office shall
100 update the information in the information system. The information system shall contain,
101 at a minimum, the determination made by the division as a result of the investigation,
102 identifying information on the subjects of the report, those responsible for the care of the
103 subject child and other relevant dispositional information. The division shall complete
104 all investigations within thirty days, unless good cause for the failure to complete the
105 investigation is documented in the information system. If the investigation is not
106 completed within thirty days, the information system shall be updated at regular
107 intervals and upon the completion of the investigation. The information in the
108 information system shall be updated to reflect any subsequent findings, including any
109 changes to the findings based on an administrative or judicial hearing on the matter.

110 13. A person required to report under section 210.115 to the division shall be
111 informed by the division of his right to obtain information concerning the disposition of
112 his or her report. Such person shall receive, from the local office, if requested,
113 information on the general disposition of his or her report. A person required to report
114 to the division pursuant to section 210.115 may receive, if requested, findings and
115 information concerning the case. Such release of information shall be at the discretion
116 of the director based upon a review of the mandated reporter's ability to assist in
117 protecting the child or the potential harm to the child or other children within the
118 family. The local office shall respond to the request within forty-five days. The findings
119 shall be made available to the mandated reporter within five days of the outcome of the
120 investigation.

121 14. In any judicial proceeding involving the custody of a child the fact that a
122 report may have been made pursuant to sections 210.109 to 210.183 shall not be

admissible. However, nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made.

15. In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services pursuant to subdivision (d) of subsection 1 of section 211.031, RSMo, and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

16. The division of family services is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021, RSMo, and chapter 536, RSMo, to carry out the provisions of sections 210.109 to 210.183.

[16.] 17. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

210.950. 1. This section shall be known and may be cited as the "Safe Place for Newborns Act of 2002". The purpose of this section is to protect newborn children from injury and death caused by abandonment by a parent, and to provide safe and secure alternatives to such abandonment.

2. As used in this section, the following terms mean:

(1) "Hospital", as defined in section 197.020, RSMo;

(2) "Nonrelinquishing parent", the biological parent who does not leave a newborn infant with any person listed in subsection 3 of this section in accordance with this section;

(3) "Relinquishing parent", the biological parent or person acting on such parent's behalf who leaves a newborn infant with any person listed in subsection 3 of this section in accordance with this section.

3. A parent shall be immune from prosecution for a violation of section 568.030, 568.032, 568.045 or 568.050, RSMo, for actions related to the voluntary relinquishment of a child pursuant to this section if:

(1) Expressing intent not to return for the child, the parent voluntarily delivered the child safely to the physical custody of any of the following

18 **persons:**

19 **(a) An employee, agent, or member of the staff of any hospital, in a**
20 **health care provider position or on duty in a nonmedical paid or volunteer**
21 **position;**

22 **(b) A firefighter or emergency medical technician on duty in a paid**
23 **position or on duty in a volunteer position;**

24 **(c) A law enforcement officer; or**

25 **(d) A duly ordained minister or clergy of a well-recognized church or**
26 **religious denomination;**

27 **(2) The child was no more than thirty days old when delivered by the**
28 **parent to any person listed in subdivision (1) of this subsection; and**

29 **(3) The child has not been abused or neglected by the parent prior to**
30 **such voluntary delivery.**

31 **4. A person listed in subdivision (1) of subsection 3 of this section shall,**
32 **without a court order, take physical custody of a child the person reasonably**
33 **believes to be no more than thirty days old and is delivered in accordance**
34 **with this section by a person purporting to be the child's parent. If delivery**
35 **of a newborn is made pursuant to this section in any place other than a**
36 **hospital, the person taking physical custody of the child shall arrange for the**
37 **immediate transportation of the child to the nearest twenty-four hour medical**
38 **facility licensed pursuant to chapter 197, RSMo.**

39 **5. The hospital, its employees, agents and medical staff shall perform**
40 **treatment in accordance with the prevailing standard of care as necessary,**
41 **to protect the physical health or safety of the child. The twenty-four hour**
42 **medical facility shall notify the division of family services and the local**
43 **juvenile officer upon receipt of a child pursuant to this section. The local**
44 **juvenile officer shall immediately begin protective custody proceedings and**
45 **request the child be made a ward of the court during the child's stay in the**
46 **medical facility. Upon discharge of the child from the medical facility and**
47 **pursuant to a protective custody order ordering custody of the child to the**
48 **division, the division of family services shall take physical custody of the**
49 **child. The parent's voluntary delivery of the child in accordance with this**
50 **section shall constitute the parent's implied consent to any such act and a**
51 **voluntary relinquishment of such parent's parental rights.**

52 **6. In any termination of parental rights proceeding initiated after the**
53 **relinquishment of a child pursuant to this section, the juvenile officer shall**
54 **make public notice that a child has been relinquished, including the sex of**

55 the child, and the date and location of such relinquishment. Within thirty
56 days of such public notice, the nonrelinquishing parent wishing to establish
57 paternity shall identify himself or herself to the court and state his or her
58 intentions regarding the child. The court shall initiate proceedings to
59 establish paternity. The juvenile officer shall make examination of the
60 putative father registry established in section 192.016, RSMo, to determine
61 whether attempts have previously been made to preserve parental rights to
62 the child. If such attempts have been made, the juvenile officer shall make
63 reasonable efforts to provide notice of the abandonment of the child to such
64 putative father.

65 7. (1) If a relinquishing parent of a child relinquishes custody of the
66 child to any person listed in subsection 3 of this section in accordance with
67 this section and to preserve the parental rights of the nonrelinquishing
68 parent, the nonrelinquishing parent shall take such steps necessary to
69 establish parentage within thirty days after the public notice or specific
70 notice provided in subsection 6 of this section.

71 (2) If a nonrelinquishing parent fails to take steps to establish
72 parentage within the thirty-day period specified in subdivision (1) of this
73 subsection, the nonrelinquishing parent may have all of his or her rights
74 terminated with respect to the child.

75 (3) When a nonrelinquishing parent inquires at a twenty-four hour
76 medical facility regarding a child whose custody was relinquished pursuant
77 to this section, such facility shall refer the nonrelinquishing parent to the
78 division of family services and the juvenile court exercising jurisdiction over
79 the child.

80 8. The persons listed in subdivision (1) of subsection 3 of this section
81 shall be immune from civil, criminal, and administrative liability for
82 accepting physical custody of a child pursuant to this section if such persons
83 accept custody in good faith. Such immunity shall not extend to any acts or
84 omissions, including negligent or intentional acts or omissions, occurring
85 after the acceptance of such child.

86 9. The division of family services shall:

87 (1) Provide information and answer questions about the process
88 established by this section on the statewide, toll-free telephone number
89 maintained pursuant to section 210.145, RSMo;

90 (2) Provide information to the public by way of pamphlets, brochures,
91 or by other ways to deliver information about the process established by this

92 **section.**

93 **10. Nothing in this section shall be construed as conflicting with**
94 **section 210.125.**

211.031. 1. Except as otherwise provided in this chapter, the juvenile court or
2 the family court in circuits that have a family court as provided in sections 487.010 to
3 487.190, RSMo, shall have exclusive original jurisdiction in proceedings:

4 (1) Involving any child or person seventeen years of age who may be a resident
5 of or found within the county and who is alleged to be in need of care and treatment
6 because:

7 (a) The parents, or other persons legally responsible for the care and support of
8 the child or person seventeen years of age, neglect or refuse to provide proper support,
9 education which is required by law, medical, surgical or other care necessary for his or
10 her well-being; except that reliance by a parent, guardian or custodian upon remedial
11 treatment other than medical or surgical treatment for a child or person seventeen years
12 of age shall not be construed as neglect when the treatment is recognized or permitted
13 pursuant to the laws of this state;

14 (b) The child or person seventeen years of age is otherwise without proper care,
15 custody or support; or

16 (c) The child or person seventeen years of age was living in a room, building or
17 other structure at the time such dwelling was found by a court of competent jurisdiction
18 to be a public nuisance pursuant to section 195.130, RSMo;

19 **(d) The child or person seventeen years of age is a child in need of**
20 **mental health services and the parent, guardian or custodian is unable to**
21 **afford or access appropriate mental health treatment or care for the child;**

22 (2) Involving any child who may be a resident of or found within the county and
23 who is alleged to be in need of care and treatment because:

24 (a) The child while subject to compulsory school attendance is repeatedly and
25 without justification absent from school; or

26 (b) The child disobeys the reasonable and lawful directions of his or her parents
27 or other custodian and is beyond their control; or

28 (c) The child is habitually absent from his or her home without sufficient cause,
29 permission, or justification; or

30 (d) The behavior or associations of the child are otherwise injurious to his or her
31 welfare or to the welfare of others; or

32 (e) The child is charged with an offense not classified as criminal, or with an
33 offense applicable only to children; except that, the juvenile court shall not have

34 jurisdiction over any child fifteen and one-half years of age who is alleged to have
35 violated a state or municipal traffic ordinance or regulation, the violation of which does
36 not constitute a felony, or any child who is alleged to have violated a state or municipal
37 ordinance or regulation prohibiting possession or use of any tobacco product;

38 (3) Involving any child who is alleged to have violated a state law or municipal
39 ordinance, or any person who is alleged to have violated a state law or municipal
40 ordinance prior to attaining the age of seventeen years, in which cases jurisdiction may
41 be taken by the court of the circuit in which the child or person resides or may be found
42 or in which the violation is alleged to have occurred; except that, the juvenile court shall
43 not have jurisdiction over any child fifteen and one-half years of age who is alleged to
44 have violated a state or municipal traffic ordinance or regulation, the violation of which
45 does not constitute a felony, or any child who is alleged to have violated a state or
46 municipal ordinance or regulation prohibiting possession or use of any tobacco product;

47 (4) For the adoption of a person;

48 (5) For the commitment of a child or person seventeen years of age to the
49 guardianship of the department of social services as provided by law.

50 2. Transfer of a matter, proceeding, jurisdiction or supervision for a child or
51 person seventeen years of age who resides in a county of this state shall be made as
52 follows:

53 (1) Prior to the filing of a petition and upon request of any party or at the
54 discretion of the juvenile officer, the matter in the interest of a child or person seventeen
55 years of age may be transferred by the juvenile officer, with the prior consent of the
56 juvenile officer of the receiving court, to the county of the child's residence or the
57 residence of the person seventeen years of age for future action;

58 (2) Upon the motion of any party or on its own motion prior to final disposition
59 on the pending matter, the court in which a proceeding is commenced may transfer the
60 proceeding of a child or person seventeen years of age to the court located in the county
61 of the child's residence or the residence of the person seventeen years of age, or the
62 county in which the offense pursuant to subdivision (3) of subsection 1 of this section is
63 alleged to have occurred for further action;

64 (3) Upon motion of any party or on its own motion, the court in which jurisdiction
65 has been taken pursuant to subsection 1 of this section may at any time thereafter
66 transfer jurisdiction of a child or person seventeen years of age to the court located in
67 the county of the child's residence or the residence of the person seventeen years of age
68 for further action with the prior consent of the receiving court;

69 (4) Upon motion of any party or upon its own motion at any time following a

70 judgment of disposition or treatment pursuant to section 211.181, the court having
71 jurisdiction of the cause may place the child or person seventeen years of age under the
72 supervision of another juvenile court within or without the state pursuant to section
73 210.570, RSMo, with the consent of the receiving court;

74 (5) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a
75 child or person seventeen years of age, certified copies of all legal and social documents
76 and records pertaining to the case on file with the clerk of the transferring juvenile court
77 shall accompany the transfer.

78 3. In any proceeding involving any child or person seventeen years of age taken
79 into custody in a county other than the county of the child's residence or the residence
80 of a person seventeen years of age, the juvenile court of the county of the child's
81 residence or the residence of a person seventeen years of age shall be notified of such
82 taking into custody within seventy-two hours.

211.181. 1. When a child or person seventeen years of age is found by the court
2 to come within the applicable provisions of subdivision (1) of subsection 1 of section
3 211.031, the court shall so decree and make a finding of fact upon which it exercises its
4 jurisdiction over the child or person seventeen years of age, and the court may, by order
5 duly entered, proceed as follows:

6 (1) Place the child or person seventeen years of age under supervision in his own
7 home or in the custody of a relative or other suitable person after the court or a public
8 agency or institution designated by the court conducts an investigation of the home,
9 relative or person and finds such home, relative or person to be suitable and upon such
10 conditions as the court may require;

11 (2) Commit the child or person seventeen years of age to the custody of:

12 (a) A public agency or institution authorized by law to care for children or to
13 place them in family homes; except that, such child or person seventeen years of age may
14 not be committed to the department of social services, division of youth services;

15 (b) Any other institution or agency which is authorized or licensed by law to care
16 for children or to place them in family homes;

17 (c) An association, school or institution willing to receive the child or person
18 seventeen years of age in another state if the approval of the agency in that state which
19 administers the laws relating to importation of children into the state has been secured;
20 or

21 (d) The juvenile officer;

22 (3) Place the child or person seventeen years of age in a family home;

23 (4) Cause the child or person seventeen years of age to be examined and treated

24 by a physician, psychiatrist or psychologist and when the health or condition of the child
25 or person seventeen years of age requires it, cause the child or person seventeen years
26 of age to be placed in a public or private hospital, clinic or institution for treatment and
27 care; except that, nothing contained herein authorizes any form of compulsory medical,
28 surgical, or psychiatric treatment of a child or person seventeen years of age whose
29 parents or guardian in good faith are providing other remedial treatment recognized or
30 permitted under the laws of this state;

31 **(5) The court may order, pursuant to subsection 2 of section 211.081,**
32 **that the child receive the necessary services in the least restrictive**
33 **appropriate environment including home and community-based services,**
34 **treatment and support, based on a coordinated, individualized treatment**
35 **plan. The individualized treatment plan shall be approved by the court and**
36 **developed by the applicable state agencies responsible for providing or**
37 **paying for any and all appropriate and necessary services, subject to**
38 **appropriation, and shall include which agencies are going to pay for and**
39 **provide such services. Such plan must be submitted to the court within thirty**
40 **days and the child's family shall actively participate in designing the service**
41 **plan for the child or person seventeen years of age.**

42 2. When a child is found by the court to come within the provisions of subdivision
43 (2) of subsection 1 of section 211.031, the court shall so decree and upon making a
44 finding of fact upon which it exercises its jurisdiction over the child, the court may, by
45 order duly entered, proceed as follows:

46 (1) Place the child under supervision in his own home or in custody of a relative
47 or other suitable person after the court or a public agency or institution designated by
48 the court conducts an investigation of the home, relative or person and finds such home,
49 relative or person to be suitable and upon such conditions as the court may require;

50 (2) Commit the child to the custody of:

51 (a) A public agency or institution authorized by law to care for children or place
52 them in family homes; except that, a child may be committed to the department of social
53 services, division of youth services, only if he is presently under the court's supervision
54 after an adjudication under the provisions of subdivision (2) or (3) of subsection 1 of
55 section 211.031;

56 (b) Any other institution or agency which is authorized or licensed by law to care
57 for children or to place them in family homes;

58 (c) An association, school or institution willing to receive it in another state if the
59 approval of the agency in that state which administers the laws relating to importation

60 of children into the state has been secured; or

61 (d) The juvenile officer;

62 (3) Place the child in a family home;

63 (4) Cause the child to be examined and treated by a physician, psychiatrist or
64 psychologist and when the health or condition of the child requires it, cause the child to
65 be placed in a public or private hospital, clinic or institution for treatment and care;
66 except that, nothing contained herein authorizes any form of compulsory medical,
67 surgical, or psychiatric treatment of a child whose parents or guardian in good faith are
68 providing other remedial treatment recognized or permitted under the laws of this state;

69 (5) Assess an amount of up to ten dollars to be paid by the child to the clerk of
70 the court. Execution of any order entered by the court pursuant to this subsection,
71 including a commitment to any state agency, may be suspended and the child placed on
72 probation subject to such conditions as the court deems reasonable. After a hearing,
73 probation may be revoked and the suspended order executed.

74 3. When a child is found by the court to come within the provisions of subdivision
75 (3) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact
76 upon which it exercises its jurisdiction over the child, and the court may, by order duly
77 entered, proceed as follows:

78 (1) Place the child under supervision in his own home or in custody of a relative
79 or other suitable person after the court or a public agency or institution designated by
80 the court conducts an investigation of the home, relative or person and finds such home,
81 relative or person to be suitable and upon such conditions as the court may require;

82 (2) Commit the child to the custody of:

83 (a) A public agency or institution authorized by law to care for children or to
84 place them in family homes;

85 (b) Any other institution or agency which is authorized or licensed by law to care
86 for children or to place them in family homes;

87 (c) An association, school or institution willing to receive it in another state if the
88 approval of the agency in that state which administers the laws relating to importation
89 of children into the state has been secured; or

90 (d) The juvenile officer;

91 (3) Beginning January 1, 1996, the court may make further directions as to
92 placement with the division of youth services concerning the child's length of stay. The
93 length of stay order may set forth a minimum review date;

94 (4) Place the child in a family home;

95 (5) Cause the child to be examined and treated by a physician, psychiatrist or

96 psychologist and when the health or condition of the child requires it, cause the child to
97 be placed in a public or private hospital, clinic or institution for treatment and care;
98 except that, nothing contained herein authorizes any form of compulsory medical,
99 surgical, or psychiatric treatment of a child whose parents or guardian in good faith are
100 providing other remedial treatment recognized or permitted under the laws of this state;

101 (6) Suspend or revoke a state or local license or authority of a child to operate
102 a motor vehicle;

103 (7) Order the child to make restitution or reparation for the damage or loss
104 caused by his offense. In determining the amount or extent of the damage, the court
105 may order the juvenile officer to prepare a report and may receive other evidence
106 necessary for such determination. The child and his attorney shall have access to any
107 reports which may be prepared, and shall have the right to present evidence at any
108 hearing held to ascertain the amount of damages. Any restitution or reparation ordered
109 shall be reasonable in view of the child's ability to make payment or to perform the
110 reparation. The court may require the clerk of the circuit court to act as receiving and
111 disbursing agent for any payment ordered;

112 (8) Order the child to a term of community service under the supervision of the
113 court or of an organization selected by the court. Every person, organization, and
114 agency, and each employee thereof, charged with the supervision of a child under this
115 subdivision, or who benefits from any services performed as a result of an order issued
116 under this subdivision, shall be immune from any suit by the child ordered to perform
117 services under this subdivision, or any person deriving a cause of action from such child,
118 if such cause of action arises from the supervision of the child's performance of services
119 under this subdivision and if such cause of action does not arise from an intentional tort.
120 child ordered to perform services under this subdivision shall not be deemed an employee
121 within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such
122 child be deemed employment within the meaning of the provisions of chapter 288,
123 RSMo. Execution of any order entered by the court, including a commitment to any state
124 agency, may be suspended and the child placed on probation subject to such conditions
125 as the court deems reasonable. After a hearing, probation may be revoked and the
126 suspended order executed;

127 (9) When a child has been adjudicated to have violated a municipal ordinance or
128 to have committed an act that would be a misdemeanor if committed by an adult, assess
129 an amount of up to twenty-five dollars to be paid by the child to the clerk of the court;
130 when a child has been adjudicated to have committed an act that would be a felony if
131 committed by an adult, assess an amount of up to fifty dollars to be paid by the child to

132 the clerk of the court.

133 4. Beginning January 1, 1996, the court may set forth in the order of commitment
134 the minimum period during which the child shall remain in the custody of the division
135 of youth services. No court order shall require a child to remain in the custody of the
136 division of youth services for a period which exceeds the child's eighteenth birth date
137 except upon petition filed by the division of youth services pursuant to subsection 1 of
138 section 219.021, RSMo. In any order of commitment of a child to the custody of the
139 division of youth services, the division shall determine the appropriate program or
140 placement pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1,
141 1996, the department shall not discharge a child from the custody of the division of
142 youth services before the child completes the length of stay determined by the court in
143 the commitment order unless the committing court orders otherwise. The director of the
144 division of youth services may at any time petition the court for a review of a child's
145 length of stay commitment order, and the court may, upon a showing of good cause, order
146 the early discharge of the child from the custody of the division of youth services. The
147 division may discharge the child from the division of youth services without a further
148 court order after the child completes the length of stay determined by the court or may
149 retain the child for any period after the completion of the length of stay in accordance
150 with the law.

151 5. When an assessment has been imposed under the provisions of subsection 2
152 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit
153 where the assessment is imposed by court order, to be deposited in a fund established
154 for the sole purpose of payment of judgments entered against children in accordance with
155 section 211.185.

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