

SECOND REGULAR SESSION

HOUSE BILL NO. 1400

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES STEVENSON (Sponsor), RUESTMAN, FISHER, MOORE, SMITH (118), BIVINS, WHORTON, MEINERS, WILSON (119) AND CUNNINGHAM (86) (Co-sponsors).

Read 1st time January 12, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4259L.011

AN ACT

To repeal section 453.011, RSMo, and to enact in lieu thereof one new section relating to child adoption.

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

Section A. Section 453.011, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 453.011, to read as follows:

453.011. 1. In all cases [in which] **involving** the termination of parental rights, **placement**, or adoption of a child [is], **whether voluntary or** contested by any person or agency, the [trial] court shall, consistent with due process, expedite the [contested] termination, **placement**, or adoption proceeding by entering such scheduling orders as are necessary to ensure that the case is not delayed, and such case shall be given priority in setting a final hearing of the proceeding and shall be heard at the earliest possible date over other civil litigation, other than **children's** division [of family services'] child protection cases.

2. In all **contested** cases as specified in subsection 1 of this section which are appealed from the decision of a trial court:

(1) The transcript from the prior court proceeding shall be provided to the appellate court no later than thirty days from the date the appeal is filed; and

(2) The appellate court shall, consistent with its rules, expedite the contested termination of parental rights or adoption case by entering such scheduling orders as are necessary to ensure that a ruling will be entered within thirty days of the close of oral arguments, and such case shall

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 be given priority over all other civil litigation, other than **children's** division [of family services']
16 child protection cases, in reaching a determination on the status of the termination of parental
17 rights or of the adoption; and

18 (3) In no event shall the court permit more than one request for an extension by either
19 party.

20 3. It is the intent of the general assembly that the permanency of the placement of a child
21 who is the subject of a termination of parental rights proceeding, **a placement proceeding**, or
22 an adoption proceeding not be delayed any longer than is absolutely necessary consistent with
23 the rights of all parties, but that the rights of the child to permanency at the earliest possible date
24 be given priority over all other civil litigation other than **children's** division [of family services']
25 child protection cases.

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