

SS#2 SCS HCS HB 1550 -- CHILD CUSTODY ORDERS

PARENTING PLAN GUIDELINES (Section 452.310, RSMo)

The Supreme Court must have parenting plan guidelines for parties in a proceeding involving the custody and visitation of a child. The parenting plan guidelines must be available on the Office of State Courts Administrator's website.

CHILD SUPPORT (Section 452.340)

There is a rebuttable presumption that the award of child support in the amount established by the application of the guidelines is the correct amount of child support to be awarded. Currently, a written finding that the application of the award guidelines would be unjust or inappropriate is required only if requested by a party. This bill specifies that such a written finding is required and sufficient to rebut the presumption in the case.

CHILD CUSTODY ORDER (Section 452.375)

Currently, the court determines child custody that is in the best interest of the child. This bill specifies that when the parties have not reached an agreement, the court must consider relevant factors and enter written findings of fact and conclusions of law.

The bill prohibits a court from presuming that one parent, based solely on his or her sex, is more qualified than the other parent to act as custodian for the child.

This bill requires any child custody order to include a written statement that gives notification to the parties that if any provision of that custody order is violated, the injured party may file either a verified motion for contempt or a family access motion in order to enforce the provision that has been violated.

The bill allows the court to enter an interim order regarding child custody only when the parties have received a notice and a hearing, unless the parties otherwise agree.

VIOLATION OF CHILD CUSTODY ORDER (Section 452.400)

This bill requires the court to consider, in a proceeding to enforce or modify a permanent custody or visitation order or judgment, a party's violation of a parenting plan without good cause, for the purpose of determining that party's ability and willingness to allow the child frequent and meaningful contact with the other party.

PARENTING PLAN HANDBOOK (Section 452.556)

The bill requires the Office of the State Court Administrator to modify the current handbook regarding parenting plans, as specified, and make the handbook available on-line and upon request by the party.

This bill also specifies how each party in a child custody case is provided a copy of the handbook.

The bill changes the effective date of the repeal and enactment of certain provisions of the Uniform Interstate Family Support Act.