

SB 88 -- GUARDIANS AD LITEM

SPONSOR: Libla

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 14 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 6 to 2.

Under this bill, guardians ad litem (GALs) appointed in a case involving an abused or neglected child shall be required to establish a relationship with the child and meet face-to-face in a private setting to observe the child and ascertain the child's wishes and needs. Such initial interview shall take place within 7 days following the appointment of the GAL and the GAL shall continue to maintain contact with the child for the duration of the appointment. The child's current placement or legal custodian shall cooperate with the GAL to schedule the initial meeting and take all steps necessary to effectuate the meeting. Additionally, the GAL shall attend, as appropriate and necessary, any and all family support team meetings involving the child.

This bill specifies the standards that a GAL shall adhere to in family and juvenile courts, including standards relating to GAL case loads; the best interests of the child; diligent advocacy for the child; reasonable access to the child and the child's reasonable access to the GAL; the GAL's access to relevant records relating to the child; confidentiality of information; case review; GAL-child interactions; GAL participation in plans, staffings, and orders relating to the child; GAL presence in court proceedings; and GAL recommendations to the court.

Provisions of this bill are similar to provisions in SB 930 (2018) and SB 1073 (2016).

PROPONENTS: Supporters say that this requires an appointed guardian ad litem (GAL) to meet with a client in person within 7 days of the appointment under certain circumstances. Children are not currently receiving proper counseling. Oftentimes, years can go by before a GAL addresses issues with the court. There is also a fear of retaliation if the GAL is challenged. Parents expressed concerns that their attempts to contact the GAL in their individual cases went unanswered though they were charged thousands of dollars for the services.

Testifying for the bill were Senator Libla; Jeremy Roberts; Mark Ludwig; Kenneth Rosa; Marcus Crane; Isaiah Lockhart; Curtis Lenoard; Victor Ojeda ; Jeffrey A.J. Miller; Craig Stevenson, Kids Win Missouri; Jessica Seitz, Missouri Kidsfirst; Kaycee Nail, Foster Adopt Connect; Michael Grote, Missouri Juvenile Justice Association; Kaylyn Morris.

OPPONENTS: There was no opposition voiced to the committee.