

HB 2033 -- GUARDIANS AD LITEM

SPONSOR: Murphy

This bill creates provisions requiring the appointment of client-directed counsel to appear for and represent a child in all judicial proceedings in child protection cases, in child placement cases, in child abuse and neglect cases, adoption cases, and in cases of termination of parental rights, whereas, currently, a judge is required to appoint a guardian ad litem for such cases. The bill also specifies duties for the appointed counsel. The bill allows a judge, on his or her own or upon motion of a party, to appoint a guardian ad litem to investigate child abuse or neglect cases, make recommendations, and advocate for the best interests of the child in such cases, but the judge must appoint a guardian ad litem to investigate a case, make recommendations, and advocate for the best interests of a child in proceedings to determine custody or visitation in child custody cases. The guardian ad litem will not serve as counsel for the child or for the minor or incompetent parent.

The bill requires the Missouri Supreme Court to establish standards of practice and quality representation training requirements for appointed counsel within six months of August 28, 2024. Additionally, the Office of State Courts Administrator must report to the General Assembly aggregate data on the number of children who have been appointed counsel under these provisions.