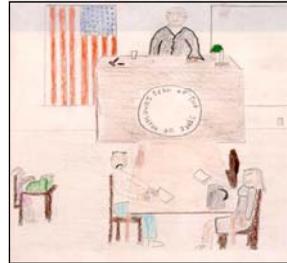


GUIDE TO THE FAMILY COURT



WELCOME TO THE FAMILY COURT



The artwork in this guide was created by residents of the Family Court Detention Center under the direction of Mr. Kurt Hetzel, Arts and Crafts Instructor.

This guide is published by the Family Court of St. Louis County, Missouri.
For more information, call (314) 615-4400.

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WHAT IS THE FAMILY COURT?

The Family Court system in Missouri was created in 1993 with the passage of the Family Court Bill by the General Assembly. This bill established a “Family Court” within each of the State’s larger circuits with responsibility for hearing all family related Court matters arising within these circuits.

Accordingly, in November of 1993, several judicial divisions of the St. Louis County Circuit Court were consolidated into the Family Court of St. Louis County under the direction of an Administrative Judge. Judges and Commissioners assigned to these divisions exclusively hear cases involving children and families. Their training and experience equip them to deal with all types of family issues.

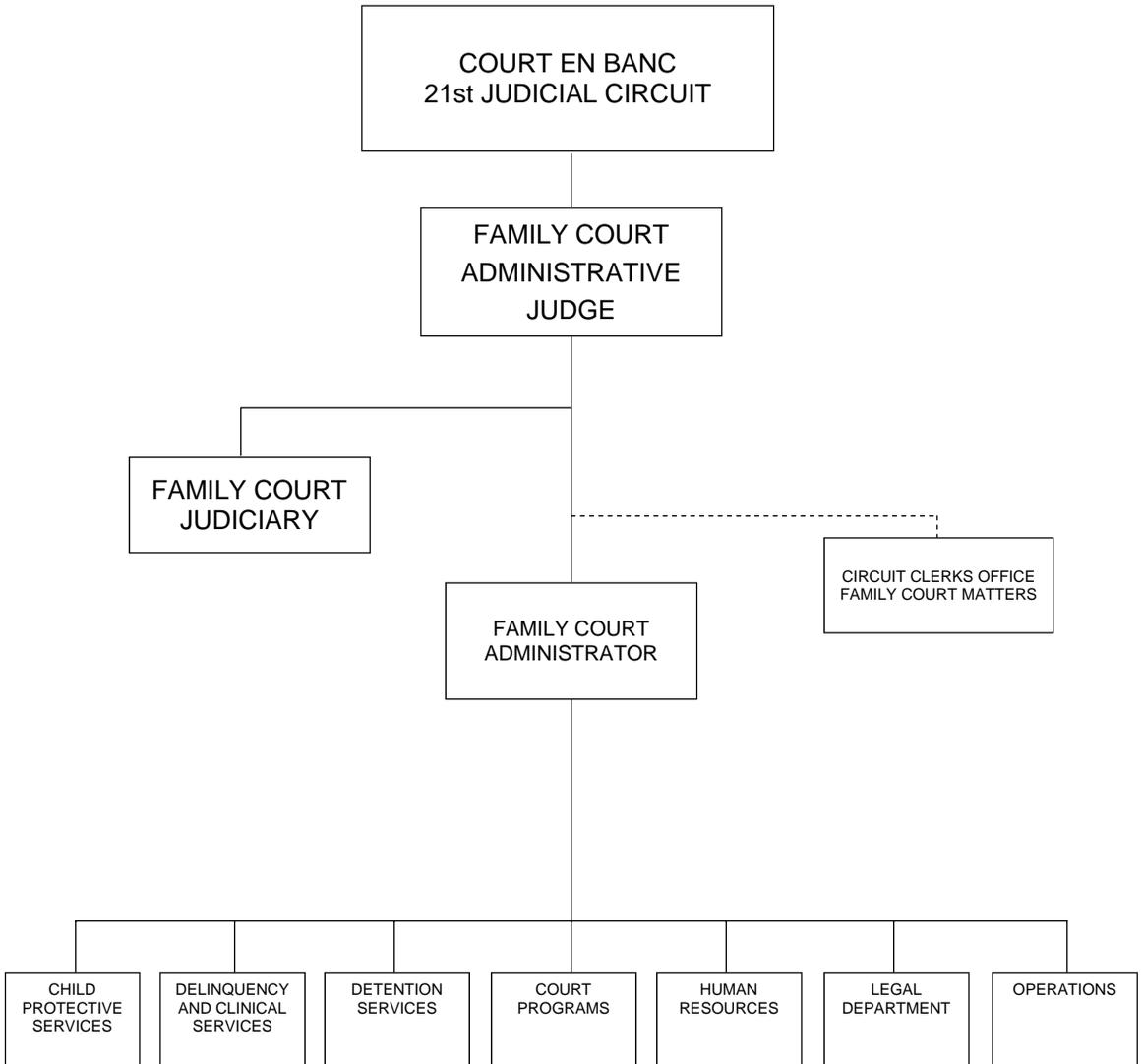
Hearings within the Family Court are conducted in two separate buildings located in Clayton. Juvenile matters are heard at the Family Court Center on Brentwood Boulevard. This facility also houses the juvenile Detention Center and various staff offices. Non-juvenile matters are primarily conducted at the Circuit Court-house in downtown Clayton.

In addition to hearing cases, the Family Court also provides numerous support services for those coming to the attention of the Court. Individual and group counseling, probationary services, parent education classes and restitution programs are but a few of the many programs offered.

The Family Court of St. Louis County handles more cases involving children and families than any other circuit in the State. It operates under the principle of “one family – one Judge.” All matters involving a particular family are assigned to the same Judge or Commissioner whenever possible, bringing increased continuity and consistency to the judicial process.

Family Courts have sole authority to hear a variety of cases, including domestic relations actions, motions to modify, adult abuse cases and juvenile proceedings. In addition, they handle some matters referred from other non-Family Court divisions, such as guardianships transferred from the Probate Division. The pages that follow in this Guide will describe, in more detail, the types of cases handled and services offered by the Court in order to give the reader an appreciation for the diversity and complexity of the Family Court’s operations.

ORGANIZATIONAL STRUCTURE



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1. Circuit Courthouse

This Courthouse is the headquarters for the majority of activities of the twenty-first Judicial Circuit. Certain Family Court matters, including cases involving domestic relations, paternity and adult abuse, are heard at this location.

2. Family Court Center

Juvenile matters, including delinquency, child protection, adoption and guardianship of minor proceedings, are handled in this facility. It also houses the Juvenile Detention Center as well as the offices of most of the Court’s support staff.

DOMESTIC RELATIONS

The Family Court handles all domestic relations matters filed in St. Louis County. These include dissolutions of marriage, annulments and legal separations.

In a dissolution of marriage (divorce) proceeding, the Judge has jurisdiction to divide all property owned by the parties, order spousal support where appropriate and, if minor children are involved, determine each parent's rights, duties and financial obligation with respect to the children. An annulment voids a marriage as if it never existed. In a legal separation, the Court may enter all orders that it would in a divorce, except that the marriage is not ended.

The Court also handles Motions to Modify which are requests filed by a



party to alter some part of a Court Order usually involving child support, child custody or child visitation. The requesting party must demonstrate a substantial change in circumstances since the date of the original Court Order. Parties may also file a Family Access Motion to enforce the terms of an existing order of visitation or custody.

Domestic Relations Services:

The Domestic Relations Services Unit of the Family Court provides help for those families involved in domestic litigation who have been unable to make satisfactory custody arrangements for their children. Family Court Judges and Commissioners refer parents to this unit by Court Order to assist them in developing or implementing appropriate custody plans. Unit staff are located on the plaza level of the Circuit Courthouse.

Social workers in this unit often work actively with parents to devise a mutually acceptable "parenting plan". In some cases, an evaluation is conducted and a report is prepared to assist the Court in resolving custody disputes.

Mediation Program:

The Family Court Mediation Program encourages the use of mediation to resolve domestic matters. Trained, pri-

DOMESTIC RELATIONS

vate mediators can be made available to provide such services to interested parties. Mediators can help participants reach mutually agreeable decisions about child custody, property division and child support matters. When the process is successful, people can resolve difficult conflicts without participating in a contested lawsuit. Mediation allows participants to take greater control over the outcome of their case, hopefully increasing their chances for a mutually satisfactory outcome.



Parent Education Program:

Parents of minor children who are seeking a divorce, legal separation or modification of a Court Order must attend a Parent Education Class sponsored through the Court. The class focuses on increasing cooperation between parents with an emphasis on

reducing potential trauma for children. It is designed to help parents more fully appreciate the impact of the separation and divorce process upon their children.

The Exchange Center:

The Exchange Center Program located at the Family Court Center provides a safe and nurturing environment for parents to exchange their children for court ordered visitation. Trained staff and volunteers monitor the transfer of children from one parent to the other, thus protecting them from potential conflict between parents. Respectful communication, careful scheduling, separate waiting areas and clear rules promote positive exchanges. The program also provides supervised visitation services permitting children to visit with their parents in a safe and structured environment.

Resource Center:

Those seeking a divorce without legal representation may obtain assistance at the Resource Center. This Center, which is part of the office of the Circuit Clerk, provides answers to basic questions and necessary forms but does not provide legal advice. It is located in Room 180a in the Circuit Courthouse. Call (314) 615-4742 for hours of operation.

PATERNITY AND CHILD SUPPORT

A paternity suit seeks to confirm or refute the identity of a biological father of a child, and to establish each parent's rights and responsibilities to the child in terms of custody and support. The Family Court hears all paternity cases filed in St. Louis County.

Paternity can be established either voluntarily or involuntarily. If necessary, the Court may order a blood test or DNA analysis to determine paternity. Once the parent and child relationship has been established, an Order for child support, custody, visitation privileges or any other matter in the best interest of the child may be issued by the Court.

Child Support Enforcement:

The Family Court also hears cases involving the enforcement of Child Support Orders. The Family Support Division (FSD) of the Department of Social Services is a State agency that assists both the State and private parties in collection of child support, referring many cases involving non-payment of child support to the Court. If it is necessary to litigate such a child support action, the St. Louis County Prosecuting Attorney's Office, in cooperation with FSD, may prosecute the matter in the Family Court.



Family Support Payment Center:

The Family Support Payment Center, a statewide office operated through the FSD, receives and disburses payments pursuant to child support orders. All FSD cases as well as those involving wage withholding must be handled through this Center. Its employees are responsible for answering inquiries regarding payments and disbursements, payment histories and arrearages. On a local level, the St. Louis County Circuit Clerk's Child Support Office works closely with the Center, answering inquiries regarding disputed obligation amounts and the status of wage withholdings.

ADOPTIONS / GUARDIANSHIPS

An adoption establishes a parent/child relationship. Those who adopt acquire all the legal rights and responsibilities of a parent. Adoption proceedings vary somewhat depending on the type of case. For example, a step-parent adoption will be handled in a different manner than an agency adoption which involves prospective adoptive parents who may have had no previous contact with the child.

Regardless of the type of case, the Court must conduct a hearing prior to granting an adoption and, at that hearing, must interpret the law in a manner consistent with the best interest of the person to be adopted. In many cases, the Court will require that a study be conducted by a licensed

child placement agency or the Missouri Children’s Division to investigate the suitability of the prospective adoptive parent’s home.

Adoption Searches:

State law permits an adopted person over the age of 21 to seek identifying information regarding his or her birth parents. This search may be facilitated by an adoption registry operated by the Children’s Division which acts as a repository for information supplied by adopted adults and biological parents who wish to make contact with one another. Any identifying information, however, may be released only with the written consent of the birth parents, the adoptive parents and the Court.

Guardianship of Minors:

Guardianships involving minors are actions brought before the Court in situations where the natural parents are unable, unwilling or unfit to care for their child. A study regarding the suitability of the prospective guardian(s) is required and is usually conducted by a licensed child placement agency. Guardianship proceedings often bring custodial stability to children without the need for termination of parental rights.



DOMESTIC VIOLENCE

The Family Court may issue an Order of Protection to persons 17 years or older who can show harm or the threat of harm by a current or former household or family member, or who can show that they are being stalked. Orders of Protection are also issued to protect children who are being abused by someone who lives with them or has lived with them, or to protect them from a person who is stalking them.

Court staff and victim advocates provide assistance to persons seeking an Order of Protection at the Adult Abuse Office, located on the Plaza



Level of the Circuit Courthouse. It is open during the regular business day but also has some evening and weekend hours. Those in need of services should call the Office for specific hours of operation. The office phone number is (314) 615-4725. During non-business hours, an Order of Protection may be obtained by visiting the local

police department. The Family Court has worked closely with law enforcement to make sure that orders of protection can be obtained 24 hours per day, 7 days per week.

Domestic Violence Court:

To better address the needs of domestic violence victims, the Family Court formed a Specialized Civil Domestic Violence Court in March, 2009. This “DV Court” centralizes the handling of domestic violence cases in order to enhance victim safety and hold offenders accountable for their abuse. The DV Court also provides volunteer attorneys, acting as Guardians ad Litem, who develop custody and visitation plans designed to keep both the children *and* the victim safe.

When an Order of Protection is granted, the offender will be ordered to immediately cease the behavior(s) that harmed or threatened the victim. As part of the order of protection, DV Court Judges often order offenders to complete a Batterer Intervention Program. These programs are intended to stop future abuse by teaching offenders essential skills for functioning in healthy relationships. If offenders choose not to comply with the Order of Protection, contempt proceedings may be initiated that can result in significant consequences, including fines or jail time.

CHILD PROTECTIVE SERVICES

Children under the age of 18 who are thought to have been abused or neglected by a parent or custodian or member of the household may be referred to the Family Court. The Court receives most such referrals from the Missouri Children's Division which is the state agency mandated by law to provide placement and services for homeless, abused and neglected children. Referrals are also made to the Court by police officers, school personnel, physicians and, in some instances, by clients themselves.

The Family Court will take whatever action is necessary to protect children from further abuse or neglect. The focus of the Court is on the safety and well-being of the child. Any criminal charges filed against the parent or custodian as a result of neglect or abuse are handled by the local Prosecuting Attorney's Office in the Criminal Courts.

Referrals to the court for child abuse or neglect are jointly investigated by the Children's Division and the Court. A determination is then made regarding the degree of intervention that is appropriate. A hearing may be held and the Court may take jurisdiction over the child for his or her protection. If it is believed that the child is in immediate danger, he or she may be physically removed from the parent's or custo-

dian's care.

Whenever a child is placed outside of the home, a service plan is developed for parents by the Children's Division. The purpose of the service plan is to help parents learn the parenting skills necessary to regain custody of their child. If the child cannot be safely returned home, other permanent living arrangements are sought.

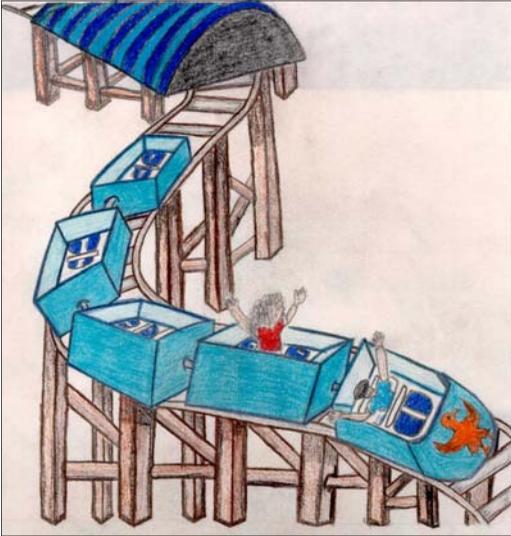
SAFE-TI Program:

The Substance Abusing Families Engaged in Treatment and Intervention (SAFE-TI) Program is an intensive Court supervised program for parents with substance abuse issues who have children involved in the child welfare system. By offering parents regular drug testing, counseling and frequent court hearings at which a judicial officer closely monitors progress, the Program seeks to maintain children in the home of their parent(s) whenever possible.

Termination of Parental Rights:

Termination of Parental Rights cases involve a severing of the legal bond between parent and child. Parental rights may be terminated by the Court either voluntarily or involuntarily, but only when it is in the best interest of the child. The vast majority of such children are then placed in an adoptive home.

DELINQUENCY AND CLINICAL SERVICES



Youth under the age of 17 alleged to have committed law violations are referred to the Family Court. In such cases, the Court endeavors to correct the delinquent behavior, strengthen family functioning and protect the community. Investigative, counseling and case management services are provided by Deputy Juvenile Officers (DJOs) who are located in the Family Court Center in Clayton, as well as in county government satellite offices and police departments throughout St. Louis County.

Informal Services:

Many delinquency referrals to the Court are handled through the infor-

mal adjustment process. This is a voluntary process in which a DJO and the family agree to address the referral without a court hearing. These services are typically reserved for status offenses (including runaway, truancy and curfew referrals) and less serious law violations.

Juveniles in need of ongoing help may receive Informal Treatment Services. In that event, the juvenile and parents enter into a contract which outlines expectations for all involved. Juveniles who do not need continuing services, but who can benefit from a specific consequence for their behavior, may be assigned to the Case Monitoring Unit. DJOs in this unit monitor a juvenile's progress in completing certain programs or satisfying specified conditions of behavior.

Predispositional Investigation:

When a referral to the Court involves a more serious law violation, a DJO will conduct a thorough social investigation in preparation for a court hearing. If the charges against the juvenile are found true at the court hearing, information gathered by the DJO may be considered by the Court in determining the most appropriate disposition (outcome) for the case.

DELINQUENCY AND CLINICAL SERVICES

Formal Services:

If the Court finds that the juvenile needs increased guidance and control, the Court may take formal action and place the juvenile "under supervision." As part of the supervision process, the DJO, in conjunction with the juvenile and family, develops Rules of Supervision which set out in writing the specific expectations of the Court. Such



rules may include regularly attending school, abiding by a designated curfew, participating in counseling or attending a specialized program. The juvenile may also be required to perform community service or to make restitution

to the victim for expenses resulting from the juvenile's crime. More intensive supervision is provided for a limited number of high risk juvenile offenders who receive specially designed community-based services. Their activities are closely monitored by court personnel seven days per week in order to ensure that supervision plans are properly followed.

If the supervision process is unsuccessful, the Court may impose more serious consequences such as placement in a residential care facility or commitment to the Missouri Division of Youth Services. In the most serious cases, the juvenile may be certified to stand trial as an adult. This requires that the Court make a finding that the juvenile is not a proper subject to be dealt with in the juvenile justice system.

Family and Clinical Services:

A staff of psychologists, family therapists and mental health professionals provide a variety of consultative, assessment and therapeutic services to juveniles and families. This unit also conducts group treatment programs that address substance abuse and sexually harmful behavior. One staff member is officed within the Court's Detention Center to provide direct services to the Center's residents.

THE DETENTION CENTER



The Detention Center provides safe, secure custody for juveniles in an environment of care, guidance and control. Juveniles who are alleged to have committed a law violation are detained if it is believed that they present a threat to themselves or the community. They remain in Detention until the Court hears their case or until appropriate alternative arrangements can be made.

Detained residents are involved in a comprehensive program of educational, recreational and social activities that require close staff/resident interaction. It is through this personal contact that a climate conducive to behavioral change develops. Detention staff utilizes both counseling and correctional skills as part of a behavior management program that focuses on building positive behaviors.

The Special School District of St. Louis County provides educational programming for Detention residents both during the regular school year as well as during the summer months. The Department of Health for St. Louis County provides medical care for the residents with a registered nurse and visiting doctor on site. The Episcopal City Mission provides a part-time Chaplain for the Center who, with volunteer staff, offers counseling and voluntary religious services to the residents.



SPECIAL PROGRAMS

A variety of special support services are available at the Family Court to help children and families who become involved in Court proceedings. Some of these services are provided by Court staff, some by volunteers and others through community partners. All are intended to assist children and families in resolving the problems that brought them to the attention of the Court. What follows is a list of several such programs not previously described in this Guide.

Educational Programs:

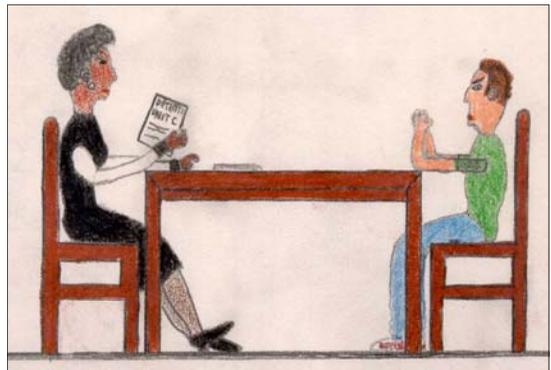
The Court operates two academic programs. *Project LEARN* is a half-day program currently operated in Court facilities in Clayton. *The Day Treatment Program*, providing a full day of school programming, is located at the Met Center building in Wellston and is operated in collaboration with the Missouri Division of Youth Services. Both programs serve Court-involved youth who have been suspended or otherwise separated from their home schools. Students in either program have the option of earning high school credits, seeking a General Equivalency Diploma (GED) or participating in remedial academic programs. Group and individual counseling sessions are also offered.

In addition to its academic programs,

the Court operates a *Reporting Center* located in the Riverview area. Up to 20 juvenile offenders report to the Center each weekday during after school hours where they receive community based supervision and engage in educational activities. The Center provides opportunities for these youth to participate in constructive tasks close to their home neighborhoods. Activities include social skills training, conflict resolution classes, drug and alcohol education and gang deterrence instruction as well as time for homework and recreation.

Juvenile Detention Initiative:

In an effort to ensure that youth are not inappropriately or unnecessarily confined in secure detention, the Court has joined a national and state-wide project entitled the *Juvenile Detention Alternatives Initiative*. As part of this Initiative, the Court has revisited its detention admission process,



SPECIAL PROGRAMS

reviewed its case processing procedures and increased the availability of alternatives to secure confinement. In addition, the Court's renewed focus on objective and structured decision-making has helped reduce opportunities for racial, ethnic and gender disparities within the system.

Restorative Justice Programs:

Principles of restorative justice focus on community safety, victim needs and offender accountability. The Court has adopted this concept in its response to juvenile crime by implementing a number of programs that help offenders to understand the impact of their actions upon the victim and the community. The Court's *Community Service and Restitution Program* is an example of an activity grounded in these principles. This program puts juvenile offenders to work at charitable or public organizations thereby permitting them to meet their community service and restitution responsibilities. Pay-Back, Inc., a not for profit organization, works in partnership with the Court by donating money to pay "wages" to the juveniles for the community service hours worked. All monies earned are then returned to the victims. *The Victim Offender Dialogue Program* encourages juvenile offenders and their victims to engage in a dialogue mediated by trained community volunteers.

If successful, the dialogue results in an agreement requiring the juvenile to take concrete steps to address the harm that they have caused their victim. Within the community, interested citizens can serve on a *Juvenile Conference Committee*, a panel of neighborhood volunteers that meets regularly to handle cases involving first-time non-violent juvenile offenders. Panel members have the authority to impose sanctions upon the youth and to develop action plans that give offenders the opportunity to make positive contributions to the community.

Counseling:

The Court sponsors various individual and group counseling programs that offer juveniles and their parents the opportunity to learn how to improve their communication and problem solving skills. The *Social Skills Program*, for example, provides a group setting for court involved youth with a special emphasis on peaceful conflict resolution. The *Parent Support Groups* provide lessons in effective parenting to mothers and fathers of juvenile offenders. *Impact of Crime on Victim Classes* offer young people information about the impact of crime in their community and counsels them on ways to repair the harm that they have caused their victims.

SPECIAL PROGRAMS

Volunteer Programs:

Volunteers play a critical role in the Family Court. Regardless of whether they are practicum students, members of civic organizations or just interested citizens, volunteers make a big difference to children and families known to the Court. Many work collaboratively with Court staff as *Citizen Deputy Juvenile Officers* (CDJOs). In that capacity, they work directly with Court clients providing counseling, tutoring or casework services. Some volunteers become *Mentors*, helping delinquent youth develop new behaviors, attitudes and ambitions by acting as positive adult role models. The Court's Detention Center, through its *CARE Program*, offers volunteers the chance to teach structured life skills to detained residents during the summer months.

Regardless of the type of program, the Court is always in need of more volunteers. For information about how you can participate, please contact the Court at (314) 615-4400.

Victim Advocate:

The Court's *Victim Advocate* is available to assist victims of juvenile crime by offering a full range of services that include crisis intervention and referrals to community agencies. The Advocate also provides victims with information,

guidance and support in dealing with law enforcement and the juvenile justice system. Other services include preparation for court hearings, notification of case outcomes, assistance with obtaining restitution and help in completing paper work such as victim impact statements and Missouri Crime Victims' Compensation Fund applications.

Legal Advocacy Programs:

The Family Court is fortunate to have several local private attorneys who act as *Guardians Ad Litem* for children known to the Court. The guardian ad litem (GAL) appears for and represents children in certain types of family court cases, primarily those involving abused or neglected youth. The GAL exercises independent judgment in advocating for the best interests of their young clients both inside and outside of the courtroom.

The *Family Court Project*, administered through Legal Services of Eastern Missouri, Inc., is another important legal advocacy program operating at the Court. This program enlists the help of volunteer attorneys who are willing to represent economically disadvantaged parents in case involving allegations of child abuse or neglect.

ADMINISTRATIVE SUPPORT

Human Resources:

The Human Resources Department provides support to the various departments of the Court in the areas of personnel administration, staff development, and organizational communication. Major responsibilities include recruitment and selection of staff, payroll processing, benefits coordination, employee relations, legal compliance, and assisting in the coordination of the Court's Guardian ad Litem and volunteer programs.



Operations:

This department is responsible for the strategic management of the Court's financial, informational and physical resources. It also provides a variety of

administrative and support functions to all sectors of the Court.

The department is comprised of three distinct units: The Accounting Unit is responsible for Court accounts, financial forecasting, statistical reporting, the preparation and monitoring of the Court budget, grant accounting and general procurement.

Clerical Services is responsible for providing Court-wide secretarial support as well as reception and juvenile record maintenance.

Facilities Services is responsible for printing, office supplies, messenger/mail, custodial services, laundry and food service in detention, telecommunications and some elements of building maintenance.

Legal Department:

On behalf of the Juvenile Officer, this department screens and initiates all legal actions involving juveniles referred to the Family Court. Attorneys within the department also represent the Juvenile Officer or Deputy Juvenile Officers at all Court proceedings including pre-trial conferences, detention and protective custody hearings, adjudicatory and dispositional hearings, matters involving termination of parental rights and the certification process. Legal staff also provide advice and

ADMINISTRATIVE SUPPORT

counsel to Court personnel regarding Family Court matters and provide training for Court staff and the community.

Circuit Clerk:

The Office of the Circuit Clerk is the central clearinghouse for information for all cases that are handled by the St. Louis County judicial system. This office files and maintains Court records, assists Judges and Commissioners in scheduling cases and maintains a docket schedule of cases for the Courts.



The *Juvenile Division* of the Circuit Clerk, which is located in the Family Court Center, is responsible for processing, scheduling and maintaining records of all juvenile proceedings that are heard in the Family Court. The *Domestic Relations Division*,

located in the Circuit Courthouse, processes legal records for all domestic relations and paternity cases.

The *Child Support Division* maintains

an accounting record of child support payments that are ordered to be paid to custodial parents through the Circuit Clerks Office. And, as noted in the Domestic Violence section of this Guide, the *Adult Abuse Division* processes requests for Order of Protection

COMMUNITY PARTNERS



Community Partners:

The Family Court works in partnership with several not for profit community groups dedicated to helping juveniles and families. These groups provide volunteers, funding and other resources critical to the functioning of the Family Court. They include:

Payback, Inc.- a not for profit juvenile community service and restitution organization that serves as the backbone of the Court's restitution program. This organization assists the Court in program development and in securing money from community donors for restitution purposes.

Court Appointed Special Advocates (CASA) – makes volunteers available to advocate for the best interests of children who have been placed outside of their home because of abuse or neglect. CASA volunteers are appointed by Court Order and work with the families, the Court and other agencies to ensure that these children have a safe, healthy and stable home situation.



Children's Shelter Care, Inc. - a not for profit volunteer organization which is dedicated to helping children in crisis and in developing resources for family courts in the St. Louis area. Children's Shelter Care owns and maintains two residential care group homes that serve boys and girls in St. Louis County.

Caring for Kids, Inc.: A volunteer organization that focuses on meeting the basic, but urgent needs of children known to the Family Court. Such needs may include bus passes, school supplies, eye glasses or even orthodontics.

CONTACT INFORMATION

PHONE NUMBERS (AREA CODE 314)

Main Number (Voice).....	615-4400
(TTY).....	615-5889
FAX	615-4477

Operating Departments

Administration	615-4400
Child Protective Services	615-4400
Delinquency and Clinical Services	615-4400
Department of Operations	615-4400
Detention Center	615-2996
Court Programs Department	615-4400
Human Resources	615-4471
Legal Department	615-2952

Office of the Circuit Clerk

Adult Abuse Office	615-4725
Adult Abuse Office (Recording with instructions)	615-6086
Child Support (Recording with instructions).....	615-8013
Family Support Division Customer Service	866-313-9960
Child Support Automated Voice Response	800-225-0530
Domestic Relations Clerk	615-0349
Family Support Payment Center	888-761-3665
Resource Center	615-4742

Programs, Services and Community Partners

Care Program	615-2996
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CONTACT INFORMATION (CONTINUED)

Caring For Kids, Inc.726-5437

Children’s Shelter Care, Inc. 432-1360

Citizen Deputy Juvenile Officer Program 615-4400

Educational Programs 615-8450

Court Appointed Special Advocates (CASA) 615-2908

Domestic Relations Services 615-8093

Domestic Violence Court615-4642

Exchange Center (M-F 8:00 a.m. – 5:00 p.m.) 615-0369

 (Evenings & weekends) 615-4526

Family and Clinical Services 615-2966

Family Court Project of Legal Services of Eastern MO 615-4501

Guardian ad Litem Program 615-4471

Juvenile Conference Committee 615-8446

Mediation Program 615-8093

Mentor Program 615-4400

Parent Education Program 863-3310

PayBack, Inc. 303-6029

SAFETI Program615-1586

Restorative Justice Programs 615-4400

Victim Advocate 615-4422