GUIDE TO THE FAMILY COURT

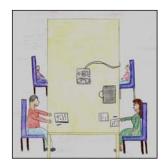
















WELCOME TO THE FAMILY COURT



The artwork in this guide was created by residents of the Family Court Detention Center under the direction of Ms. Janet Johnson, Program Specialist.

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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.

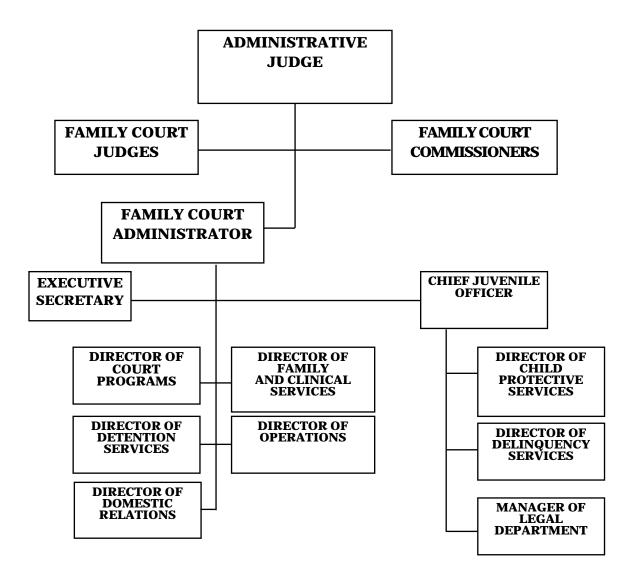
Accordingly, in November of 1993, several judicial divisions of the St. Louis County Circuit Court were consolidated into the Family Court of St. Louis County under the direction of an Administrative Judge. Judges and Commissioners assigned to these divisions exclusively hear cases involving children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

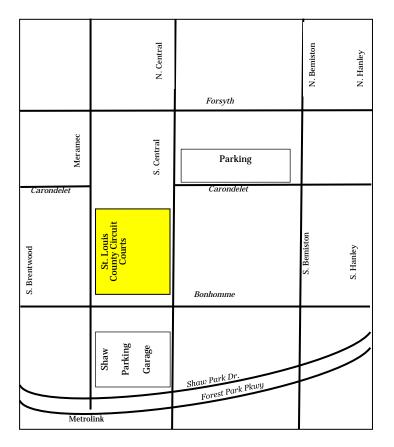
The Family Court provides numerous support services for those coming to the attention of the Court. Individual and group counseling, probationary services, parent education classes and restitution programs are but a few of the many programs offered.

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





Circuit Courthouse

The 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.

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, legal separations, petitions to establish paternity and orders of protection.

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, expect 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.

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. Paternity may also be established by confirming that the father's name is on the child's birth certificate. Once paternity has been established, an order for child support, custody, visitation privileges or any other matter in the best interests of the child may be issued by the Court.

Domestic Relations Services

The Domestic Relations Services (DRS) 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 parenting plans. Unit staff are located on the 2nd floor in the Courts Building.

Social workers in this unit often work actively with parents to devise a mutually acceptable parenting plan. When parents are unable to

DOMESTIC RELATIONS

reach complete agreement on their plan, staff will participate in court settlement conferences, often working hand in hand with the parents and their attorneys to help them reach agreement.

DRS Staff also provide supervised visitation services when ordered by the court in cases where parents needs to become reacquainted with their children due to absence or if parents need to resolve various issues before the court will award them unsupervised time with their children.

DRS staff also provide confidential mediation services on custody matters when both parents request the service, most often prior to filing their court case or after their case has been handled by the Court.



Additionally, DRS staff provide parenting plans for parents who are on the Parenting Court Docket that is initiated by the Child Support Division of the Prosecuting Attorney. While this docket primarily seeks to establish paternity for fathers whose children receive state benefits, DRS staff are available at each weekly docket to work with parents who request a parenting plan. This service often results in a more effective relationship between parents and more involvement by fathers in their children's lives.

The Exchange Center

The Exchange Center Program located at the Family Court Center provides a safe and nurturing environment of parents to exchange their children for visitation arrangements that are ordered in our Family Court. Trained staff monitor the transfer of children from one parent to the other, thus protecting them from potential conflict between parents. The Exchange Center also provides supervised visitation services for cases that are referred by DRS staff when visits can better be handled on weekends and evenings.

DOMESTIC RELATIONS

Parent Education Program

Parents of minor children who are seeking a divorce, legal separation, modification or order of paternity must attend a Parent Education Class which is mandated by law. The 2 hour 15 minute 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 separation and divorce on their children.



Mediation Program

The Family Court maintains a list of private mediators to assist parents who wish to resolve including divorce and paternity matters. Trained mediators are hired by the parents to assist them in reaching 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.

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 interests of the child may be issued by the Court.

Child Support Enforcement:

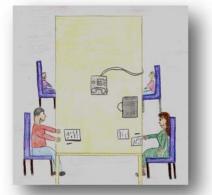
The Family Court also hears cases involving the enforcement of child support orders. The Family Support Division (FSD) of the Department of Social Services is a State agency that assists both the State and private parties in collection of child support, referring many cases involving non-payment of child 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 interests 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 18 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 of 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 street level of the Courthouse. It is open during regular business hours but also has some evening and week-end hours. Those in need of services should call the office for specific hours of operation. The office number is (314) 615-4725. During non-business hours, an order of protection may be obtained by contacting the local police department. The Family Court works closely with law enforcement to ensure that orders of protection can be obtained 24 hours per day, 7 days per week.

Domestic Violence Court

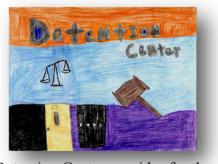
To better address the needs of domestic violence victims, the Family Court formed a Specialized Civil Domestic Violence Court in March, 2009. The "DV Court" centralizes the handling of domestic violence cases in order to enhance victim safety and hold offenders accountable for their abuse. The DV Court also provides volunteer attorneys 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 order 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 batterers 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 orders of protection, contempt proceedings may be initiated that can result in significant consequences, including fines or jail time.

THE DETENTION CENTER

The Detention Center provides for the safe and secure custody of juveniles alleged to have committed an offense that brings them within the jurisdiction of the Court. These juveniles are detained only 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.



The Detention Center provides for the basic needs of its residents: shelter, food, clothing and medical care. But just as importantly, the Center's staff provides a wide range of support services intended to help promote the juveniles physical, social and emotional development. These services include drug and alcohol counseling, arts and crafts, mental health screening and counseling, self-help programs, educational and vocational services, fitness sessions, voluntary religious services, recreational programs and many other activities.

The Department of Health of St. Louis County provides a registered nurse, a nurse practitioner and visiting physician. The Center's medical program is accredited through the National Commission on Correctional Health. The Episcopal City Mission provides two part-time Chaplains for the Center who, with volunteer staff, offer counseling, grief groups, enrichment programs and voluntary religious services to the residents. The Family Court Clinical Services Department has a staff member housed in detention five days a week and contracts for services on evenings and weekends to provide coverage seven days a week and late evening hours five days a week.

FAMILY AND CLINICAL SERVICES

Mental health issues are often common among children who are referred to the Family Court. The Family Court has access to mental health services and consultation through the Family & Clinical Services (FCS) department. FCS provides specialized services to youth and families involved in Delinquency Services and Domestic Relations. FCS staff consist of licensed psychologists, counselors, and clinical social workers who have specific training and experience in working with children and their families. All referrals for mental health services are made via Deputy Juvenile Officers (DJOs) and Domestic Relations Mediators, and services are provided to families at no cost.

FCS provides both family and individual counseling. Services can be provided at the office or in the home/community depending on need. Therapists help the families identify strengths to build on and challenges to address. Common goals for family therapy include developing positive communication skills, strengthening parental leadership, addressing sexually harmful behavior, and reducing symptoms related to trauma. Therapy may also be provided to families involved with Domestic Relations to assess and improve relationship dynamics. Sessions are usually 45 to 50 minutes and occur weekly.

Family Court and/or DJOs request psychological evaluations when a more in depth understanding of a child's mental health is needed. Psychological evaluations may seek to clarify/obtain a mental health diagnosis; provide treatment recommendations; conduct a risk assessment; provide information about competency and understanding of legal proceedings; and/or recommend the intensity of needed services (e.g., community-based, residential, etc.). An evaluation usually involves interviewing both the child and parent(s)/custodian(s) to obtain information relating to concerns about stressful events, school performance, relationships, substance abuse, and important events in the family. Psychologists also administer testing, review collateral records (e.g., school, medical, previous mental health treatment, etc.), and conduct collateral interviews (e.g., teachers, therapists, etc.) in order to gather additional information about a child's functioning. Evaluations usually take two to four appointments over the span of a few weeks to complete, and each appointment may vary in length. A final report of the evaluation is prepared by psychologists and shared with both the family and other court

FAMILY AND CLINICAL SERVICES

officials.

FCS is also responsible for providing mental health services to youth who are placed in the Court's Detention Center. Supportive counseling and risk assessments are provided to all youth in the Detention Center and mental health services are available seven days a week. Finally, FCS provides some specialty group therapy programs such as for youth who have engaged in sexually harmful behavior.

Confidentiality means that a therapist or psychologist may not give out information about a client without the client's/legal guardian's consent. However, within the Family Court system, therapists and psychologists prepare written assessments and progress reports which are generally shared with both the family and other court officials. Therapists and psychologists discuss any limits to confidentiality before starting to provide services.

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 St. Louis County Juvenile Office. The Juvenile Office receives most of these 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 Juvenile Office by police officers, school personnel, physicians and, in some instances, citizens.

The Juvenile Office will take whatever action is necessary to protect children from further abuse or neglect. The focus of the Juvenile Office 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.

Referrals to the Juvenile Office for child abuse or neglect are investigated by the Children's Division and the results of that instigation are provided to the Juvenile Office. A determination is then made by the Juvenile Office regarding the degree of intervention that is appropriate. A hearing may be held before a Juvenile Court Judge 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 custodian'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.





The Substance Abusing Families Engaged in Treatment and Intervention (SAFETI) Program is an intensive Court

CHILD PROTECTIVE SERVICES

supervised drug court 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 interests of the child. The vast majority of such children are then placed in an adoptive home.

DELINQUENCY SERVICES

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

Informal Services:

Most delinquency referrals to the Juvenile Office are handled through the informal 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 parent(s), custodian(s) or guardian(s) enter into a contract which outlines expectations for all involved. Juveniles who do not need continuing services but who can benefit from a specific service response 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 other requirements.

Predispositional Investigation:

When a referral to the Juvenile Office 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).

Formal Supervision:

If the Court finds that the juvenile needs increased guidance and monitoring, the Court may take formal action and place the juvenile "under supervision". As part of the supervision process, the DJO, in conjunction with his/her parent(s),

DELINQUENCY SERVICES

custodian(s) or guardian(s), develops Rules of Supervision, which set out in writing the specific expectations of the Court. Such rules may include regular school attendance, curfews, counseling, or attendance in 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. DJO's have a continuum of interventions to address behavior, which include the use of sanctions, services and incentives based on the risks and needs of the juvenile.



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 determination that the juvenile cannot be served by the juvenile justice system.

COURT PROGRAMS AND SUPPORTIVE SERVICES

A variety of support programs and 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 non exhaustive list of several programs not previously described in this Guide.

Educational Programs:

The Court operates two academic programs that are located at the Met Center building in Wellston. Project LEARN is a half day school program. The Day Treatment Program is a full day of school programming that is operated in collaboration with the Missouri Division of Youth Services. Both educational programs serve Courtinvolved youth who have been suspended or otherwise separated from their home schools. Students participating in the Court's educational programs have the option of earning high school credits, receiving remedial academic instruction, and seeking General Equivalency Diploma (GED)/High School Equivalency Test (Hi-Set). In addition, students are regularly engaged in recreational and cultural activities. Supportive services are also provided and include individual and group counseling sessions, life skills development and preemployment training.

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 assigns juvenile offenders to work at charitable or public organizations, thereby permitting them to meet their community service and restitution responsibilities. PayBack, Inc. is a not for profit organization which works in partnership with the Court by donating money to pay "wages" for the

COURT PROGRAMS AND SUPPORTIVE SERVICES

juveniles for the community services hours worked. All moneys earned are then returned to the victim. The Victim Offender Dialogue Program encourages juvenile offenders and their victims to engage in a dialogue mediated by training 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.

Psychoeducation Programs and Resources:

The Court sponsors programs that focus on providing supportive services, skills building, and education. These programs are provided in individual and group settings and offer juveniles the opportunity to learn how to improve his

or her communication and problem solving skills in the Life Skills or Anger Management Programs. The Parent Support Groups provide lessons in effective parenting skills to parents of juveniles receiving court services. Impact of Crime on Victims Classes offer juveniles information about the impact of crime in their community and educates them on ways to repair the harm that they have caused their victims. Court School Liaison Training is also provided to school personnel on an annual basis to provide information and updates regarding policies, procedures, and operations of Family Court.

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 involved with the Court. Many work collaboratively with Court staff as Citizen Deputy Juvenile Officers (CDJO). In that capacity, they work directly with juveniles referred to this Court providing counseling, tutoring, or case management services. Some

COURT PROGRAMS AND SUPPORTIVE RESOURCES

volunteers become mentors, helping delinquent youth develop new behaviors, attitudes, and ambitions by acting as positive 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.



Juvenile Detention Alternatives Initiative:

In an effort to ensure that youth are not inappropriately or unnecessarily detained in secure detention, the Court is involved in a national and state-wide project entitled the Juvenile Detention Alternatives Initiative (JDAI). As a part of the initiative, the Court is committed to working collaboratively with community members and stakeholders to improve long term outcomes for youth. The Court relies on data to inform and guide policies and practice development while serving Court involved youth. More intentional focus is placed on detention admissions decisions, case processing procedures, the availability and utilization of alternatives to secure detention, conditions of confinement, and utilizing graduated responses to address probation violations. Focusing on all of these efforts combined assist in reducing racial, ethnic, and gender disparities within the system.

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 and promotion of staff, payroll processing, benefits coordination, employee relations, training, legal compliance, coordination of duties with the Circuit Court, 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 at all court proceedings including pre-trial conferences, detention and protective custody hearings, adjudicatory and dispositional hearings, matters involving termination of parental rights

ADMINISTRATIVE SUPPORT

and the certification process. Legal staff also provide advice and counsel to Juvenile Office personnel regarding Family Court matters and provide training for Juvenile Office 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* 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 Clerk's Office. And, as noted in the Domestic Violence section of this Guide, the *A dult A buse Division* processes requests for orders of protection.

CONTACT INFORMATION

105 S. Central Avenue Clayton, Missouri 63105

PHONE NUMBERS (AREA CODE 314)

Main Number (Voice)	
(TTY)	
FAX	
Operating Departments	
Administration	
Child Protective Services	
Delinquency and Clinical Services	
Department of Operations	
Detention Center 615-2996	
Court Programs Department	
Human Resources	
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)	
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