

2010

State Law Report Card



Missouri

Access to Protection Orders

In Missouri, minors do not have access to Protection Orders (POs).¹ This results in an automatic failing grade for Missouri. In addition, POs cannot be issued against minor abusers.² Missouri law does allow individuals in dating relationships to access POs.

Procedure

Adults in dating relationships can seek POs against their adult abusers.³ Missouri law defines an adult as an individual aged 17 or older.⁴

Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse or harassed the petitioner.⁵ The statute fails to explicitly recognize stalking as a form of abuse that qualifies for relief. The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁶ the respondent to:

- stay away from the petitioner;
- vacate the petitioner's residence;
- provide petitioner exclusive use/possession of property;
- comply with a custody/visitation schedule;
- pay child support;
- pay spousal support;
- participate in a counseling or batterers' intervention program;
- pay attorneys' fees; and/or
- pay restitution for other harm.

The statute may allow other forms of relief not specifically listed here. The Protection Order is modifiable.⁷

Minors' Access to Sensitive Services⁸

All minors can consent to:

- STI testing and treatment*
- Prenatal care*
- Medical care for child(ren)

*Physicians may inform a minor's parents.

Some minors may consent to contraceptive services. Parental consent is required for abortion services.

School Response to Dating Violence

Missouri law does not provide for a school response to dating violence.

Recommendations for Immediate Policy Change

In order to improve Missouri's response to teen dating violence, the following changes are recommended:

- Allow minors to access POs and allow courts to issue POs against minors.
- Allow minors to petition for POs on their own behalf and explicitly describe the procedure for doing so.
- Allow victims of intimate partner stalking to access OPs.
- Allow all minors to access all sensitive services without parental involvement.

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References

¹ MO. REV. STAT. § 455.020(1) (2009). Missouri law defines adult as “any person seventeen years of age or older or otherwise emancipated.” See *Id.* § 455.010(2).

² *Id.*

³ *Id.* § 455.010(5).

⁴ *Id.* § 455.010(2).

⁵ *Id.* § 455.010(1).

⁶ *Id.* § 455.050.

⁷ *Id.* § 455.060.

⁸ Guttmacher Institute, An overview of minors’ consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.



Empowering Youth to End
Domestic Violence

For more information about state law
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or email policy@breakthecycle.org.