

# Address Confidentiality Program



John R. Ashcroft • Secretary of State

## Safe at Home

www.MoSafeAtHome.com

PO Box 1409

Jefferson City, MO 65102

Phone: (866) 509-1409

FAX: (573) 522-1525

Email: SafeAtHome@sos.mo.gov

## Application Assistant Updates

### Important Reminder!

The Safe at Home program updated the participant application packet in August 2018 and mailed new copies to all Application Assistants. **The forms dated for August 2018 are the only forms accepted for enrollment at this time.** Please take a moment to check your agency's supply of application forms. Any application packets that are not dated "8/2018" at the bottom should be discarded immediately. If you do not have any 2018 forms, please email SafeAtHome@sos.mo.gov or call (866) 509-1409 and we will provide new forms for you.

### New Participant Cards Issued: Updated Look, Street Address Available

The Safe at Home program is pleased to announce that all program participants are receiving updated authorization cards with two significant changes.

First, the new cards have a different look and feel, but have similar information as the previous cards. They continue to be light blue cards with the Safe at Home logo and the state seal. The cards still include the signature of the participant, their assigned substitute address, expiration date, and contact information for the Safe at Home program. Safe at Home cards produced on laminated card stock are no longer issued. The new cards are plastic, similar to a gift card or ID badge, and include a signature panel for the participant to sign when they receive the card.

Second, participants now have the option of a street address for their substitute address in addition to the post office box the program has used for several years. We recommend using the PO Box address for the majority of mailing purposes, so there is no need for participants to change their address with anyone already using the PO Box address. However, if an agency can only use an address in the format of a street address, participants may now use the designated street address assigned to fulfill this need.



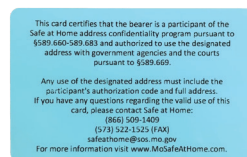
### How does Safe at Home Handle Legal Mail?

#### What happens when Safe at Home receives Service of Process for a participant?

When participants apply for the Safe at Home program, they designate the secretary of state as their agent for purposes of service of process and for receipt of first class mail, legal documents, and certified mail. This means that any time a document such as a summons to court or subpoena is sent directly to Safe at Home via personal service, certified mail, or US Postal Service, it has been legally served to the participant. Once the service of process has been received, Safe at Home staff will attempt to telephone the participant to inform him or her of its receipt and then the service of process is sent by certified mail to the participant.

#### What about other legal mail?

Participants are afforded the option to authorize the secretary of state or designee to open and review legal documents addressed to the program participant. This includes, but is not limited to, summonses, writs, demands, notices, or service of process that are delivered by personal service, certified mail, or US Postal Service before forwarding such documents to the participant. The secretary or designee is then able to notify the participant if an immediate response is required from the participant. Some examples of what may be considered legal mail would be envelopes from a court, prosecuting attorney, law enforcement, or the legal division of a government agency. If the review of the legal mail requires an immediate response, Safe at Home staff will attempt to telephone the participant with the information needed to respond. Before opening and reviewing any legal mail, Safe at Home staff must be able to distinguish that the envelope is from one of the sources listed above.





## Forms and Info Sheet Now Available in Spanish and Bosnian

Safe at Home now has the following documents available in Spanish and Bosnian:

- Participant Application
- Participant Checklist
- Program Information Sheet

If you are interested in having Spanish and/or Bosnian forms on hand at your agency, please call (866) 509-1409 or email [SafeAtHome@sos.mo.gov](mailto:SafeAtHome@sos.mo.gov) to request copies.

The application and checklist are available for registered Application Assistants as part of Safe at Home application packets. The information sheet is available to any interested agency.

## Voter Solicitor Forms

Voter Registration Solicitor forms are due every two years after a general election is held. Please see the attached memo and form for more details.

## Changes to Court Orders and Custody laws

The secretary of state's office advocated for changes to state laws regarding court orders and custody agreements affecting Safe at Home participants. This information does not constitute legal advice, but participants may want to make their attorney or legal advisor aware of the new provisions, especially if they are currently involved in a court case.

If a court intends to order a participant to release his or her address, state law now requires the court to notify the participant and the secretary of state's office that a release will be sought. The court must give the participant an opportunity to present evidence why disclosing the confidential address poses a safety threat to the participant. The court may still determine it is necessary for a participant to release his or her address, but the notice and review process must first occur. The new law applies to all types of court proceedings, including divorces and child custody, but may not apply to orders prior to August 28, 2017, when the law went into effect.

On August 28, 2018, two additional changes were made to state laws regarding custody arrangements. First, Missouri Revised Statute 452.375 (12) states that both parents shall have access to records pertaining to their child, including, but not limited to, medical, dental, and school records, unless the court has imposed other restrictions. The law now specifies that if the parent with custody is a Safe at Home participant, a court shall order that the reports and records not include the confidential address of the participant.

Second, Missouri Revised Statute 452.377 provides instructions for parents who need to give notice about a relocation to another party with custody or visitation rights. The requirements include providing the proposed address. The same section of the law now states that a Safe at Home participant seeking to relocate a child shall not be required to provide the new address information in the relocation notification to the other party, but may be required to disclose the information under seal to the court.

Participants with pending custody judgments may want to discuss the new laws with their attorney or legal advisor, however the laws may not apply to any orders prior to August 28, 2018, when the law went into effect.

Address Confidentiality Program

**safe at home**

John R. Ashcroft • Secretary of State