

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

MARK ANDRE LAJEUNESSE

RESPONDENT,

v.

**STATE OF MISSOURI,
DEPARTMENT OF SOCIAL
SERVICES, DIRECTOR, FAMILY
SUPPORT DIVISION**

APPELLANT.

DOCKET NUMBER WD73477

DATE: October 4, 2011

Appeal From:

Randolph County Circuit Court
The Honorable Mason R. Gebhardt, Judge

Appellate Judges:

Division Two: Thomas H. Newton, Presiding Judge, Cynthia L. Martin, Judge and Gary D. Witt, Judge

Attorneys:

Jay W. Kimmons, Moberly, MO, for respondent.

Denise N. Gabel, Jefferson City, MO, for appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

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v.

**STATE OF MISSOURI,
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No. WD73477

Randolph County

Before Division Two: Thomas H. Newton, Presiding Judge, Cynthia L. Martin, Judge and Gary D. Witt, Judge

The Missouri Department of Social Services, Family Support Division ("DSS") entered an administrative order that compelled Mark Lajeunesse to pay child support on behalf of his son who lives in Russia. Lajeunesse filed a petition for judicial review in the trial court. The trial court reversed the administrative child support order against Lajeunesse, finding that DSS lacked jurisdiction to enter a child support order. DSS appeals, but the briefing schedule is reversed under Local Rule XXXV. Lajeunesse's sole point on appeal is that section 454.425 does not give DSS the authority to enter child support orders on behalf of persons who are not citizens of the United States.

REVERSE TRIAL COURT JUDGMENT AND REINSTATE THE ADMINISTRATIVE ORDER ENTERED BY DSS.

Division Two holds: The plain language of section 454.425 does not limit child support services to children who are citizens or residents of the United States. The sentence upon which Lajeunesse relies in support of his argument prohibits DSS from discriminating between residents of Missouri and other states in affording child support services. The remainder of section 454.425 is broad, allowing DSS to afford child support services to all children, custodial parents, and other persons entitled to receive support. In addition, section 454.400.2(14) requires that DSS provide child support services to any child for whom services are applied. When those two statutes are read together, it is clear that the legislature did not intend to limit child support enforcement services to citizens or residents of the United States.

Opinion by Cynthia L. Martin, Judge

October 4, 2011

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