IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT

COMPLETE TITLE OF CASE

IN THE INTEREST OF: F.R.D.

JUVENILE OFFICER,

Respondent,

v.

A.D. (Mother),

Appellant.

DOCKET NUMBER WD77765

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

DATE: November 3, 2015

APPEAL FROM

The Circuit Court of Callaway County, Missouri
The Honorable Leslie Schneider, Judge

JUDGES

Division Three: Ellis, P.J., and Mitchell and Witt, JJ. CONCURRING.

ATTORNEYS

Mary E. Barnard
Columbia, MO

Attorney for Respondent,

A.D.
Jefferson City, MO

Appellant, *pro se*.

MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT

IN THE INTEREST OF: F.R.D.	)	
	)	
JUVENILE OFFICER,	)	
	)	
Respondent,	)	**OPINION FILED:**
v.	)	**November 3, 2015**
	)	
A.D. (Mother),	)	
	)	
Appellant.	)	

WD77765 **Callaway County**

Before Division Three Judges: Joseph M. Ellis, Presiding Judge, and Karen King Mitchell and Gary D. Witt, Judges

A.D. ("Mother") is the natural mother of F.D., her daughter. The Juvenile Division of the Circuit Court of Callaway County ("juvenile court") found that F.D. should be subject to the jurisdiction of the court and placed her in the custody of A.D.'s now ex-husband, the child's natural father ("Father"). Following the juvenile court's initial determination, Father filed for divorce in the Circuit Court of Washington County ("dissolution court"). The juvenile court terminated its jurisdiction over F.D. and the dissolution court awarded custody to Father. Mother appeals the juvenile court's placement of F.D. with Father, arguing that the order violated her religious beliefs, and that placement with Father is inappropriate because Father "abandoned and neglected" the child. We dismiss the appeal because it is moot.

APPEAL DISMISSED.

Division Three holds:

1. Before considering the merits of a dispute, we must determine whether or not we have jurisdiction to decide the appeal.

2. The juvenile court is allowed to terminate its jurisdiction over a child when it believes it is appropriate. Here, it terminated its jurisdiction, allowing the dissolution court to obtain jurisdiction to enter a custody order, which it did.

3. Mother does not challenge the appropriateness of the juvenile court terminating its jurisdiction, or the authority of the dissolution court to award custody of F.D., waiving the issue.

4. Even if this court were to overturn the orders of the juvenile court, this would have no effect on the judgment of the dissolution court, which awarded custody to Father, and whose judgment would remain in place regardless of any decision from this court. Mother's appropriate avenue to contest custody was to participate in the dissolution proceeding and appeal that judgment, which she did, albeit unsuccessfully.

5. A case is moot when the circumstances that surround it change sufficiently to cause a legal controversy to cease, and a decision by the judiciary would be insignificant in providing effective relief.

6. Because this court is unable to grant the only remedy Mother seeks, the return of F.D. to her custody, the appeal is moot.

Opinion by: Karen King Mitchell, Judge November 3, 2015

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THIS SUMMARY IS **UNOFFICIAL** AND SHOULD NOT BE QUOTED OR CITED.