

# HOUSE BILL No. 1139

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-34-11-1; IC 31-35-2-2.5.

**Synopsis:** CHINS and TPR proceedings. Allows a juvenile court to extend the time to complete a factfinding hearing for a child in need of services (CHINS) petition under certain conditions. Prohibits a juvenile court from granting a continuance in a termination of parent-child relationship (TPR) proceeding unless the motion is filed by a proper person and is accompanied by certain evidence.

**Effective:** July 1, 2024.

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## Goss-Reaves

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January 8, 2024, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1139

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 31-34-11-1, AS AMENDED BY P.L.48-2012,  
2 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]: Sec. 1. (a) Except as provided in subsection (b), unless  
4 the allegations of a petition have been admitted, the juvenile court shall  
5 complete a factfinding hearing not more than sixty (60) days after a  
6 petition alleging that a child is a child in need of services is filed in  
7 accordance with IC 31-34-9.

8 (b) The juvenile court may extend the time to complete a factfinding  
9 hearing, as described in subsection (a), for an additional sixty (60) days  
10 if:

- 11 (1) all parties in the action consent to the additional time;
- 12 (2) **there is a good faith reason for the additional time; and**
- 13 (3) **the additional time will not cause an unreasonable delay in**  
14 **the child's permanency plan.**

15 (c) If the factfinding hearing is not held immediately after the initial  
16 hearing as provided under IC 31-34-10-9, the department shall provide  
17 notice of any factfinding hearing to each foster parent or other



1 caretaker with whom the child has been placed for temporary care. The  
2 court shall provide a person who is required to be notified under this  
3 subsection an opportunity to be heard at the factfinding hearing.

4 (d) If the factfinding hearing is not held within the time set forth in  
5 subsection (a) or (b), upon a motion with the court, the court shall  
6 dismiss the case without prejudice.

7 SECTION 2. IC 31-35-2-2.5 IS ADDED TO THE INDIANA CODE  
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
9 1, 2024]: **Sec. 2.5. A juvenile court shall not grant a continuance of  
10 proceedings for termination of a parent-child relationship unless  
11 a person described in section 4(a) of this chapter:**

12 **(1) files the motion for continuance; and**

13 **(2) includes evidence that:**

14 **(A) there is a good faith reason for the delay; and**

15 **(B) the delay will not cause an unreasonable delay in the  
16 child's permanency plan.**

