

# SENATE BILL No. 130

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-32-3-10.5; IC 34-30-2-134.7.

**Synopsis:** Court appointed child advocate immunity. Provides immunity from civil and criminal liability for: (1) a guardian ad litem program; (2) a court appointed special advocate program; and (3) an employee, contract employee, or volunteer for a guardian ad litem program or court appointed special advocate program; when a child is placed on a waiting list for guardian ad litem or court appointed special advocate services.

**Effective:** July 1, 2018.

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## Bohacek

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January 3, 2018, read first time and referred to Committee on Civil Law.

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Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

# SENATE BILL No. 130

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 31-32-3-10.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2018]: **Sec. 10.5. If a juvenile court appoints**  
4 **a guardian ad litem or court appointed special advocate in a**  
5 **proceeding, and, due to the caseload of the guardian ad litem**  
6 **program or court appointed special advocate program, the child is**  
7 **placed on a waiting list for guardian ad litem or court appointed**  
8 **special advocate services:**  
9 (1) the guardian ad litem program or court appointed special  
10 advocate program; and  
11 (2) any employee, contract employee, or volunteer for the  
12 guardian ad litem program or court appointed special  
13 advocate program;  
14 are immune from civil and criminal liability based on the child  
15 being placed on the waiting list unless the placement of the child on  
16 the waiting list is the result of gross negligence or willful and  
17 wanton misconduct.



1 SECTION 2. IC 34-30-2-134.1 IS ADDED TO THE INDIANA  
2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2018]: **Sec. 134.1. IC 31-32-3-10.5**  
4 **(Concerning a guardian ad litem program, court appointed special**  
5 **advocate program, or employee, contract employee, or volunteer**  
6 **for a guardian ad litem program or court appointed special**  
7 **advocate program).**

