

SENATE BILL No. 251

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-34-21.

Synopsis: Foster parent reporting form. Prescribes a standardized form to be used for submission of a written statement by a foster parent in a periodic case review for a child in need of services.

Effective: July 1, 2019.

Ford Jon

_____, read first time and referred to Committee on



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 251

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 31-34-21-4, AS AMENDED BY P.L.128-2012,
2 SECTION 167, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Except as provided in
4 subsection (f), at least seven (7) days before the periodic case review,
5 including a case review that is a permanency hearing under section 7
6 of this chapter, the department shall provide notice of the review to
7 each of the following:
8 (1) The child's parent, guardian, or custodian.
9 (2) An attorney who has entered an appearance on behalf of the
10 child's parent, guardian, or custodian.
11 (3) A prospective adoptive parent named in a petition for adoption
12 of the child filed under IC 31-19-2 if:
13 (A) each consent to adoption of the child that is required under
14 IC 31-19-9-1 has been executed in the form and manner
15 required by IC 31-19-9 and filed with the local office;
16 (B) the court having jurisdiction in the adoption case has
17 determined under any applicable provision of IC 31-19-9 that



- 1 consent to adoption is not required from a parent, guardian, or
 2 custodian; or
 3 (C) a petition to terminate the parent-child relationship
 4 between the child and any parent who has not executed a
 5 written consent to adoption under IC 31-19-9-2 has been filed
 6 under IC 31-35 and is pending.
- 7 (4) The child's foster parent or long term foster parent.
 8 (5) Any other person who:
 9 (A) the department has knowledge is currently providing care
 10 for the child; and
 11 (B) is not required to be licensed under IC 12-17.2 or IC 31-27
 12 to provide care for the child.
 13 (6) Any other suitable relative or person whom the department
 14 knows has had a significant or caretaking relationship to the child.
- 15 (b) The department shall present proof of service of the notice
 16 required by subsection (a) at the periodic case review.
 17 (c) The department shall provide notices under this section as
 18 provided in IC 31-32-1-4.
 19 (d) The court shall provide to a person described in subsection (a)
 20 an opportunity to be heard and to make any recommendations to the
 21 court in a periodic case review, including a permanency hearing under
 22 section 7 of this chapter. The right to be heard and to make
 23 recommendations under this subsection includes:
 24 (1) the right of a person described in subsection (a) to submit a
 25 written statement to the court that, if served upon all parties to the
 26 child in need of services proceeding and the persons described in
 27 subsection (a), may be made a part of the court record; and
 28 (2) the right to present oral testimony to the court and cross
 29 examine any of the witnesses at the hearing.
- 30 **A written statement submitted under this subsection by a foster**
 31 **parent or long term foster parent of the child must be in the form**
 32 **required under section 4.1 of this chapter.**
- 33 (e) Except as provided in subsection (f), this section does not
 34 exempt the department from sending a notice of the review to each
 35 party to the child in need of services proceeding.
 36 (f) If the parent of an abandoned child does not disclose the parent's
 37 name as allowed by IC 31-34-2.5-1(c), the parent is not required to be
 38 notified of a proceeding described in subsection (a).
- 39 SECTION 2. IC 31-34-21-4.1 IS ADDED TO THE INDIANA
 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2019]: **Sec. 4.1. A written statement**
 42 **submitted by a foster parent or long term foster parent under**



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section 4(d) of this chapter must be in substantially the following form:

FOSTER PARENT REPORTING FORM

CAUSE NUMBER _____ DATE PREPARED _____
NAME OF CHILD _____ DATE OF HEARING _____

In order to ensure that each foster parent is provided the opportunity to report to the court on the status of a child in foster care, the following questionnaire has been designed. This report is intended to be an important link in the chain of materials needed by the court to assess the best interest of a child in foster care. Your presence at the court hearing is always welcomed. For many foster providers, however, personal appearance at the hearing is not always possible. Information regarding concerns or problems should be first directed to the child's family case manager.

Regardless of your attendance at the periodic review hearing, please complete this form, preparing a January 3 separate form for each child in your care. Please report only Family and Children Services information and observations that have occurred since the last court hearing.

- Please comment on any questions that pertain to the child in care* *Please Circle Answer*
1. Do you have any unresolved problems that affect the child's care? Yes No
 2. Were you supplied with sufficient information about the child at the time of the child's placement in your care? Yes No
 3. Do you need special assistance in meeting the needs of the child in your care? (For example: ICPR, Medicaid cards, dental, optical, or medical reports, court orders, or personal property.) Yes No
 4. Has the child contracted any serious illness or other health problem? If so, please list on back of form. Yes No
 5. Has the child appropriately adjusted to your foster home? Yes No
 6. Has the child received the child's annual physical, dental, and eye examination? Yes No
 7. Since the last hearing, has the child received the assistance you communicated to the court and/or DCS as being necessary? If not, please comment. Yes No

COMMENTS: _____

COUNSELING

1. Have you observed any problems with your child's therapeutic counseling? If yes, please comment. Yes No
2. Was the child in counseling when placed in your care? Yes No
3. If the child was not in counseling when placed in your care, did you ask that counseling be provided? Yes No
4. If you answered yes to #3, how soon was counseling started? _____ Yes No
5. Does the child appear to have a good rapport with the counselor? Yes No
6. Has the counseling benefited your relationship with the child? Yes No
7. Does the child participate in counseling with the child's biological parent(s)? Yes No

COMMENTS: _____

VISITATION

1. Have you observed any problems associated with visitation between the child and the child's biological parent(s)?



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- If yes, please comment. Yes No
2. Does the child have supervised visitation? Yes No
3. Have you noticed any behavioral changes in the child immediately prior to visitation? Yes No
4. Have you noticed any behavioral changes in the child immediately following visitation? Yes No

COMMENTS: _____

SCHOOL PERFORMANCE

1. Have you observed any problems associated with the child's school performance? If yes, please comment. Yes No
2. Has the child's behavior in school declined? _____ Improved? _____ Yes No
3. Has the child developed friendships with classmates? Yes No
4. Has the school reported any behavioral problems to you? Yes No
5. Do you know of behavioral problems while at school that were not reported to you by school officials? Yes No
6. Does the child appear to have a positive relationship with the child's teacher(s)? Yes No
7. Are the child's grades improving? Yes No

COMMENTS: _____

The following questions relate to your observations and experiences with regard to other professionals involved in the life of the child.

THE COURT

1. When in attendance at court hearings, has the judge or magistrate asked for your comments? Yes No
2. Were you able to attend the last court hearing? Yes No
3. Are you kept informed of court dates? Yes No

COMMENTS: _____

CASA VOLUNTEER

1. Do you know the name of the CASA volunteer assigned to the child's case? Yes No
2. What types of contacts has the CASA volunteer had with the child since the last hearing? Please check all that apply:
 _____ Home Visit _____ In Court _____ Telephone _____ Other
 (please explain in comments)
3. Does the CASA volunteer return your telephone calls within 24 hours? (If not, please note date and nature of your call.) Yes No

COMMENTS: _____

IF YOU ARE A THERAPEUTIC FOSTER PARENT, ANSWER THE FOLLOWING QUESTIONS:

1. Please indicate the name of the agency for which you are a foster parent: _____
2. Do you know the agency representative assigned to the child? Yes No
3. What type of contact has the agency representative had with



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the child since the last hearing? Please check all that apply:
 _____ Home Visit _____ In Court _____ Telephone _____ Other
 (please explain in comments)

4. Does the representative return your telephone calls within
 24 hours? (If not, please note date and nature of your call.) Yes No

COMMENTS: _____

NAME: (printed) _____
 SIGNATURE _____ DATE: _____

NAME: (printed) _____
 SIGNATURE _____ DATE: _____

PLEASE RETURN THIS COMPLETED FORM TO THE COURT PRIOR TO THE
 REVIEW HEARING OR BRING IT TO THE HEARING.

FOSTER PARENT REPORT

COURT _____ JUDGE _____

ADDRESS OF COURT HOUSE _____

