



STATE OF INDIANA

INDIANA PUBLIC DEFENDER COUNCIL

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MEMORANDUM

TO: IPDC Board of Directors
FROM: Bernice A. N. Corley, Executive Director
RE: Proposed Legislative Initiatives for 2023 Session
DATE: Retreat, September 10, 2022

The coming session is the budget session. It will run from January 2023 to end of April. This memo proposes legislative initiatives IPDC staff recommends pursuing which would involve securing an author/sponsor and advocating for the language through session.

Juvenile /At Risk Youth and Families

2023 Juvenile Delinquency Agenda:

- (1) Respond to *Neukam v. State*, 189 N.E.3d 152 (Ind. 2022), addressing the process for youth prosecuted as adults and resulting consequences/ alternative options;
- (2) Juvenile omnibus bill - <http://iga.in.gov/legislative/2022/bills/senate/340#digest-heading>;
- (3) Provide support for Children's Policy and Law Initiative/Youth Justice Coalition's work on a minimum age for juvenile court jurisdiction, and Debt Free Justice's work to eliminate fees and costs in juvenile court.

2023 Child Welfare/At Risk Youth and Families Agenda:

- (1) Modify Paternity Statute to allow DCS or Title IV Prosecutor to initiate a paternity matter even if a paternity affidavit has been signed.
- (2) Restoration of Parental Rights after termination

Adult and Miscellenous

- (1) Amend IC 9-30-5-1(d)(2)(D) to extend defense to accidents not resulting in bodily injury or death.
- (2) Russell decision - Community Corrections direct placement fix (HEA 1004).
- (3) Preventative Detention - - respond with counsel at first appearance & presumptive release.
- (4) 3rd parties recording police interactions.