
SENATE BILL No. 150

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-35-2-6.5.

Synopsis: Party status of a foster parent. Provides that a foster parent of a child in need of services becomes a party to a proceeding to terminate the parent-child relationship if the person has been the child's foster parent for 12 consecutive months or 15 of the 22 months immediately preceding the filing of the termination petition.

Effective: July 1, 2000.

Nugent

January 10, 2000, read first time and referred to Committee on Judiciary.

C
O
P
Y



Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

C
O
P
Y

SENATE BILL No. 150



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 31-35-2-6.5, AS AMENDED BY P.L.200-1999,
- 2 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2000]: Sec. 6.5. (a) This section applies to hearings under this
- 4 chapter relating to a child in need of services.
- 5 (b) At least five (5) days before a hearing on a petition or motion
- 6 under this chapter:
- 7 (1) the person or entity who filed the petition to terminate the
- 8 parent-child relationship under section 4 of this chapter; or
- 9 (2) the person or entity who filed a motion to dismiss the petition
- 10 to terminate the parent-child relationship under section 4.5(d) of
- 11 this chapter;
- 12 shall send notice of the review to the persons listed in subsection (c).
- 13 (c) The following persons shall receive notice of a hearing on a
- 14 petition or motion filed under this chapter:
- 15 (1) The child's parent, guardian, or custodian.
- 16 (2) The child's foster parent.
- 17 (3) A prospective adoptive parent named in a petition for adoption



1 of the child filed under IC 31-19-2 if:

2 (A) each consent to adoption of the child that is required under
3 IC 31-19-9-1 has been executed in the form and manner
4 required by IC 31-19-9 and filed with the county office of
5 family and children;

6 (B) the court having jurisdiction in the adoption case has
7 determined under an applicable provision of IC 31-19-9 that
8 consent to adoption is not required from a parent, guardian, or
9 custodian; or

10 (C) a petition to terminate the parent-child relationship
11 between the child and any parent who has not executed a
12 written consent to adoption under IC 31-19-9-2, has been filed
13 under IC 31-35 and is pending.

14 (4) Any other person who:

15 (A) the county office of family and children has knowledge is
16 currently providing care for the child; and

17 (B) is not required to be licensed under IC 12-17.2 or
18 IC 12-17.4 to provide care for the child.

19 (5) Any other suitable relative or person who the county office of
20 family and children knows has had a significant or caretaking
21 relationship to the child.

22 (6) Any other party to the child in need of services proceeding.

23 (d) The court shall provide to a person described in subsection (c)
24 an opportunity to be heard and make recommendations to the court at
25 the hearing.

26 (e) **Except as provided in subsection (f)**, a person described in
27 subsection (c)(2) through (c)(5) does not become a party to a
28 proceeding under this chapter as the result of the person's right to
29 notice and the opportunity to be heard under this section.

30 (f) **A person described in subsection (c)(2) becomes a party to a**
31 **proceeding under this chapter as the result of the person's right to**
32 **notice and opportunity to be heard if the person has been the**
33 **child's long term foster parent for:**

34 (1) twelve (12) consecutive months; or

35 (2) fifteen (15) of the twenty-two (22) months immediately
36 preceding the filing of the petition under section 4.5 of this
37 chapter.

C
O
P
Y

