

IC 12-26-8

Chapter 8. Commitment of a Child

IC 12-26-8-1

Appointment of advocate or guardian; persons authorized to be appointed as advocate; representation and protection of child's best interests

Sec. 1. (a) A juvenile court that conducts a proceeding under this article shall appoint a court appointed special advocate, a guardian ad litem, or both for the child before the court begins a proceeding under this article.

(b) An advocate is not required to be an attorney.

(c) An attorney representing the child may be appointed as the child's advocate.

(d) The court may not appoint any of the following to be a child's advocate:

(1) A party to the proceeding.

(2) An employee of a party to the proceeding.

(3) A representative of a party to the proceeding.

(e) An advocate shall represent and protect the best interests of the child.

As added by P.L.2-1992, SEC.20.

IC 12-26-8-2

Advocate; officer of juvenile court

Sec. 2. A child's advocate is an officer of the juvenile court for the purpose of representing the child's interests.

As added by P.L.2-1992, SEC.20.

IC 12-26-8-3

Representation of advocate by counsel; appointment of counsel

Sec. 3. (a) A child's advocate may be represented by an attorney.

(b) If necessary to protect the child's interests, the juvenile court may appoint an attorney to represent an advocate of a child. The court may appoint only one (1) attorney under this subsection.

As added by P.L.2-1992, SEC.20.

IC 12-26-8-4

Commitment of child; review by advocate; assistance provided by facility superintendent

Sec. 4. (a) Within thirty (30) days after a child is first committed to a facility by a juvenile court, the child's advocate shall do all of the following:

(1) Visit the facility.

(2) Evaluate the services delivered to the child.

(3) Evaluate whether the commitment continues to be appropriate for the child.

(b) The child's advocate shall conduct a review similar to that required under subsection (a):

(1) sixty (60) days after the child is first committed;

- (2) six (6) months after the child is first committed; and
- (3) every six (6) months after the review required by subdivision (2).

(c) The superintendent of the facility shall provide necessary assistance to carry out the reviews required by this section.

As added by P.L.2-1992, SEC.20.

IC 12-26-8-5

Advocate reviews; report; recipients of report

Sec. 5. The child's advocate shall submit a report of each review required by section 4 of this chapter to all of the following:

- (1) The committing juvenile court.
- (2) The superintendent of the facility.
- (3) A county office that has wardship of the child.
- (4) Each party to the commitment proceeding.

As added by P.L.2-1992, SEC.20. Amended by P.L.4-1993, SEC.204; P.L.5-1993, SEC.217.

IC 12-26-8-6

Advocate; access to reports relevant to child; confidential reports

Sec. 6. (a) A child's advocate shall be given access to all reports relevant to the child.

(b) IC 31-39-2 applies to the release of reports that are confidential under IC 31-39-1.

As added by P.L.2-1992, SEC.20. Amended by P.L.1-1997, SEC.87.

IC 12-26-8-7

Payment of fees to be made under IC 31-6-4-18

Sec. 7. Payment of any fees shall be made under IC 31-40.

As added by P.L.2-1992, SEC.20. Amended by P.L.1-1997, SEC.88.

IC 12-26-8-8

Obligations of county offices to children under custody or supervision committed to state institutions

Sec. 8. If a child under the custody or supervision of a county office is committed to a state institution, the court may not release the county office from the county office's obligations to the child unless the court appoints a guardian for the child under IC 12-26-16.

As added by P.L.2-1992, SEC.20. Amended by P.L.4-1993, SEC.205; P.L.5-1993, SEC.218.

IC 12-26-8-9

Progress reports; case reviews

Sec. 9. A juvenile court that commits a child under this article shall require the department of child services for a child who is a child in need of services or the probation department for the court to report to the court on the progress made in implementing the commitment at least every six (6) months. If the committed child is a child in need of services, the department of child services shall perform case reviews of the child's commitment under IC 31-34-21.

*As added by P.L.2-1992, SEC.20. Amended by P.L.4-1993, SEC.206;
P.L.5-1993, SEC.219; P.L.1-1997, SEC.89; P.L.146-2008, SEC.417.*