

IC 31-32-2

Chapter 2. Rights of Persons Subject to Juvenile Court Jurisdiction

IC 31-32-2-1

Rights of child

Sec. 1. Except when a child may be excluded from a hearing under IC 31-32-6, a child is entitled to:

- (1) cross-examine witnesses;
- (2) obtain witnesses or tangible evidence by compulsory process; and
- (3) introduce evidence on the child's own behalf.

As added by P.L.1-1997, SEC.15.

IC 31-32-2-2

Additional rights of child charged with delinquent act

Sec. 2. In addition to the rights described in section 1 of this chapter, a child charged with a delinquent act is also entitled to:

- (1) be represented by counsel under IC 31-32-4;
- (2) refrain from testifying against the child; and
- (3) confront witnesses.

As added by P.L.1-1997, SEC.15.

IC 31-32-2-2.5

Privileged statements made to a mental health evaluator; exceptions

Sec. 2.5. (a) This section applies only to a court ordered or voluntary mental health:

- (1) screening;
- (2) assessment;
- (3) evaluation; or
- (4) treatment;

provided by or under the direction of an evaluator, as defined in IC 31-9-2-43.8, in conjunction with proceedings under this article.

(b) Except as provided in subsection (d) and except for purposes of:

- (1) a probation revocation proceeding; or
- (2) a modification of a dispositional decree under IC 31-37-22;

a statement communicated to an evaluator in the evaluator's official capacity may not be admitted as evidence against the child on the issue of whether the child committed a delinquent act or a crime.

(c) This section does not affect the admissibility of evidence when a juvenile interposes the defense of insanity.

(d) This section does not affect a disclosure or reporting requirement in effect on July 1, 2007, under statute or in case law regarding a statement that:

- (1) relates directly to the facts or immediate circumstances of a homicide; or
- (2) reveals that the child may intend to commit a crime.

As added by P.L.120-2007, SEC.3.

IC 31-32-2-3

Rights of parent, guardian, or custodian

Sec. 3. (a) This section applies to the following proceedings:

- (1) Proceedings to determine whether a child is a child in need of services.
- (2) Proceedings to determine whether the parent, guardian, or custodian of a child should participate in a program of care, treatment, or rehabilitation for the child.
- (3) Proceedings to determine whether the parent or guardian of the estate of a child should be held financially responsible for any services provided to the parent or guardian or the child of the parent or guardian.
- (4) Proceedings to terminate the parent-child relationship.

(b) A parent, guardian, or custodian is entitled:

- (1) to cross-examine witnesses;
- (2) to obtain witnesses or tangible evidence by compulsory process; and
- (3) to introduce evidence on behalf of the parent, guardian, or custodian.

As added by P.L.1-1997, SEC.15.

IC 31-32-2-4

Waiver to court having criminal jurisdiction; requirement for criminal charge or conviction

Sec. 4. A child may not be charged with or convicted of a crime, except a crime excluded by IC 31-30-1, unless the child has been waived to a court having criminal jurisdiction.

As added by P.L.1-1997, SEC.15.

IC 31-32-2-5

Parent's right to representation by counsel

Sec. 5. A parent is entitled to representation by counsel in proceedings to terminate the parent-child relationship.

As added by P.L.1-1997, SEC.15.

IC 31-32-2-6

Adjudication not considered criminal conviction; civil disability not imposed

Sec. 6. (a) A child may not be considered a criminal as the result of an adjudication in a juvenile court, nor may an adjudication in juvenile court be considered a conviction of a crime.

(b) An adjudication in juvenile court does not impose any civil disability imposed by conviction of a crime.

As added by P.L.1-1997, SEC.15.

IC 31-32-2-7

Contact with juvenile justice system not disqualification from governmental application, examination, or appointment

Sec. 7. A child's contact with the juvenile justice system does not disqualify the child from any governmental application, examination,

or appointment.

As added by P.L.1-1997, SEC.15.