

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 4: Assessment Section 33: Standby Guardianship	
	Effective Date: January 1, 2026	Version: 3

POLICY OVERVIEW

If a parent or guardian dies or is unable to care for the child, a Standby Guardianship begins. The Indiana Department of Child Services (DCS) may work with the Standby Guardian to gather facts about the extended family and noncustodial parents to help ensure the child's safety, stability, permanency, and well-being.

POLICY STATEMENT

The parent or guardian may identify:

1. A Standby Guardian in the case of their death or incapacity; and
2. An Alternate Standby Guardian if the Standby Guardian is:
 - a. Not able to serve;
 - b. Says they do not want to serve;
 - c. Dies; or
 - d. Becomes incapacitated.

The Standby Guardianship:

1. Lasts for 90 days; and
2. Remains in effect until the court makes a ruling if the guardian files a petition for guardianship during that 90-day period.

DCS must consider a Standby Guardian or Alternate Standby Guardian for placement if the child is part of:

1. An allegation of Child Abuse or Neglect (CA/N) (IC 31-33);
2. An open Child in Need of Services (CHINS) case (IC 31-34); or
3. An open delinquency case (IC 31-37).

Note: For the child to be placed with them, the Standby Guardian or Alternate Standby Guardian must still meet the placement requirements for a child who is a ward of DCS or Probation (see policy [8.01](#)).

LEGAL REFERENCES

- [IC 12-7-2-61: "Developmental disability"](#)
- [IC 29-3-1-7.5: "Incapacitated person"](#)
- [IC 29-3-3-7: Standby guardians](#)
- [IC 31-33: ARTICLE 33. JUVENILE LAW: REPORTING AND INVESTIGATION OF CHILD ABUSE AND NEGLECT](#)
- [IC 31-34: ARTICLE 34. JUVENILE LAW: CHILDREN IN NEED OF SERVICES](#)
- [IC 31-37: ARTICLE 37. JUVENILE LAW: DELINQUENCY](#)