

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 6: Court Section 02: Filing a Child in Need of Services (CHINS) Petition	
	Effective Date: January 1, 2026	Version: 7

POLICY OVERVIEW

A Child in Need of Services (CHINS) case starts when:

1. There is sufficient reason to believe a child is a victim of Child Abuse and/or Neglect (CA/N);
2. Allegations meet one (1) or more legal definitions of CHINS; and
3. Court intervention is needed.

POLICY STATEMENT

To file a CHINS petition:

1. The Department of Child Services (DCS) must file a Request for Filing of Petition with the Preliminary Inquiry (PI) attached;

Note: The right to parent a child cannot be denied only due to disability.

2. The court will issue an order authorizing the CHINS petition if the court finds probable cause; and
3. DCS may file the CHINS petition after the court issues the order (if it was not filed with the PI and Request for Filing of Petition).

LEGAL REFERENCES

- [IC 31-10-2-3: Rights of persons with a disability](#)
- [IC 31-17-2-8.1: "Disability"; custody](#)
- [IC 31-34-1: Chapter 1. Circumstances Under Which a Child Is a Child in Need of Services](#)
- [IC 31-34-9: Chapter 9. Filing of Petition Alleging That Child Is Child In Need of Services](#)
- [42 USC 12102: Definition of disability](#)