The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana and the Board of the Directors of the Indiana Council of Juvenile and Family Court Judges met jointly at the Indiana Office of Court Services, on Friday, January 5, 2018 from 12:00 p.m. to 2:45 pm.

1. **Members present.** Juvenile Justice Improvement Committee members: Hubert Branstetter, Jr., Matthew L. Headley, Bruce E. Petit, Gwenn R. Rinkenberger, and Stephen R. Galvin, Chair; Juvenile Justice Improvement Committee members and Board members of the Indiana Council of Juvenile and Family Court Judges (ICJFCJ): Vicki L. Carmichael, Darrin M. Dolehanty, Dana J. Kenworthy, Marilyn A. Moores; and ICJFCJ Board members: Deborah A. Domine, Faith A. Graham, Kenton W. Kiracofe, and Mary G. Willis.

2. **Staff.** Matthew Hagenbush, Angela Reid-Brown, Jane Seigel, Kim Spindler, and Nancy Wever provided staff assistance.

3. **Guests.** Loretta H. Rush, Chief Justice of Indiana; Don Travis and members of the Juvenile Justice & Cross-System Youth Task Force; Nina Solomon and Shanelle Johnson, The Council of State Governments (telephonic); Lisa Thompson, Indiana Office of Judicial Administration, Trial Court Technology; Parvonay Stover, Department of Child Services.

4. **Minutes approved.** The minutes for the Juvenile Justice Improvement Committee meeting on October 6, 2017 were approved.

5. **Improving Outcomes for Youth Initiative.**
   a. Don Travis, Co-Chair, Juvenile Justice and Cross-System Youth Initiative provided background information on how the Initiative came to the attention of the Task Force. He advised the Task Force is interested in pursuing the Initiative if the focus is limited to status offenders, services for youth, and low-end age limit for delinquency cases.

   b. Nina Solomon, Project Manager, Juvenile Justice, and Shanelle Johnson, The Council of State Governments, provided an overview of the Initiative. The Initiative provides states with technical assistance to identify and implement policies and funding strategies which research shows work to reduce recidivism and improve other outcomes for youth in the juvenile justice system. Through this initiative, states undergo a comprehensive, data-driven assessment of their juvenile justice system, develop policy options to improve outcomes for youth based on this assessment, and translate these policy options into legislative and appropriations changes. Ms. Solomon then highlighted recent work done in Nevada and New Mexico. The technical assistance provided by the Initiative lasts for 12-18 months and is funded by the Office of Juvenile Justice and Delinquency Prevention and the Department of Justice. The Council of State Governments also works with jurisdictions to find supplemental funding at the local level to help support the ongoing implementation of the work.

Members of the ICJFCJ and JJIC noted that Indiana is already doing much of what the Initiative is proposing (e.g., JDAI, statewide risk assessment). They wanted to be sure this initiative would not interfere with the work already being done in those areas. Members of the ICJFCJ and JJIC gave tentative support for the Improving Outcomes Initiative if the focus is limited to status offenders, services for youth and a low-end age limit for delinquency cases.
6. **Jurist in Residence.** A draft Memorandum of Understanding between Casey Family Programs and the Indiana Office of Judicial Administration for the Jurist in Residence Program was distributed. The committee members discussed the following ideas for use of a Jurist in Residence: providing assistance to counties with a significant increase in CHINS cases, providing assistance to counties with high GAL/CASA wait lists, engaging counties to implement dual status, JDAI, Juvenile Case Assessment and Triage and other tools, and assisting as a mentor to new judges with juvenile court jurisdiction.

After discussion, Judge Moores moved that the Juvenile Justice Improvement Committee support the proposed agreement between the Indiana Supreme Court Office of Judicial Administration and Casey Family Programs for the employment of a Jurist in Residence to promote the use of best practices in Indiana’s juvenile courts. The motion was seconded by Judge Bruce Petit and unanimously approved.

Judge Moores then moved that the Juvenile Justice Improvement Committee recommend the Jurist in Residence focus on increasing the representation of children by Court Appointed Special Advocates in Child in Need of Services cases through the use of the Juvenile Case Assessment and Triage Tool (J-CAT). The motion was seconded by Magistrate Gwenn Rinkenberger and was unanimously approved. The Juvenile Justice Improvement Committee also agreed to act as the Collaboration Lead for the Indiana Supreme Court Office of Judicial Administration if so designated. Judge Galvin will reach out to a few senior judges to gauge their interest in serving as the Jurist in Residence.

7. **Expungement memo and forms follow-up.** Judge Petit reported the juvenile expungement memo is in the process of being drafted. Committee members vetted questions from Trial Court Technology regarding juvenile expungements. The Committee agreed expungement orders should be sent to Trial Court Technology for relevant records to be expunged in INcite. Trial Court Technology agreed to send a confirmation note to the issuing court acknowledging receipt of the expungement order and identifying the records which were expunged.

8. **Proposed legislation.** Parvonay Stover, Legislative Director, DCS reported they are not proposing child welfare legislation this year, but are keeping an eye on the following bills: HB 1091, HB 1113, HB 1307, SB 128, SB 130, SB 184, SB 218, and SB 322.

9. **Future meeting dates.** The Committee will meet again on February 2, 2018; March 2, 2018; May 4, 2018; June 22, 2018 at the Renaissance Hotel-Carmel; and October 5, 2018.

Respectfully submitted,

Angela Reid-Brown
Court Improvement Program Administrator
The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Office of Court Services, on Friday, February 2, 2018 from 12:00 noon to 3:10 p.m.

1. **Members present.** Hubert Branstetter, Jr., Steven H. David, Darrin M. Dolehanty, James Nivard Fox; Matthew G. Hanson, Dana J. Kenworthy, Marilyn A. Moores, Brett J. Niemeier, Bruce E. Petit, Gwenn R. Rinkenberger, and Stephen R. Galvin, Chair.

2. **Staff.** Jeffrey Bercovitz, Matthew Hagenbush, Angela Reid-Brown, Leslie Dunn, Jane Seigel, Kim Spindler, Nancy Wever and Mary G. Willis provided staff assistance.

3. **Guests.** Judge Kenton W. Kiracofe, Wells Circuit Court; Judge Robin Sage, Casey Family Programs, via speakerphone; Elizabeth Darby, Youth Division Director, and Timike Jones, DMC Coordinator, Indiana Criminal Justice Institute were also present.

4. **Minutes approved.** The minutes for the Juvenile Justice Improvement Committee meeting on January 5, 2018 were approved.

5. **Jurist in Residence.**
   a. Judge Galvin gave an overview of the Jurist in Residence Program from Casey Family Programs. The Jurist(s) will provide assistance to implement a pilot program for the use of a Juvenile Case Assessment and Triage Tool (JCAT). The tool will help counties meet the need for CASAs in their counties. The pilot program will be in Clark, Delaware, Elkhart, Hendricks, Henry, Monroe, Tippecanoe and Wayne Counties.
   b. Committee members interviewed candidates for the Jurist in Residence program via conference call. The candidates discussed their qualifications for this position. Senior Judge Stephen R. Heimann and Magistrate Nancy Gettinger were chosen as Indiana’s Jurists in Residence. They agreed to attend a Casey training for Jurists in Residence on February 20-21, 2018.

6. **Expungement memo and forms follow-up.** Judge Petit discussed a memorandum for courts about Indiana’s revised juvenile expungement laws and forms. Committee members approved the memorandum by consensus and agreed to place it on the Juvenile Justice Improvement Committee website with links to Juvenile Benchbook forms.

7. **DMC.**
   a. Timike Jones, DMC Coordinator, Indiana Criminal Justice Institute, gave an overview of gathering Disproportionate Minority Contact (DMC) data from Indiana’s courts. She stated Indiana counties are in 100% compliance with Administrative Rule 1(G), which requires the reporting of DMC data. Ms. Jones distributed packets of DMC information to each committee member with their county’s DMC data. Members of the committee recommended revisions to the cover letter to distribute the data to each county’s juvenile judge, indicating there may be duplicate data, the data may be incomplete, and noting the
information is public. They also wanted to emphasize the data will assist counties to address DMC concerns.

b. Elizabeth Darby, new Youth Division Director, Indiana Criminal Justice Institute, introduced herself to the committee. She reported Title II grants, Safe Haven and other programs which are funded by her office. She stated these monies go to government agencies, like courts and probation.

8. **Proposed legislation.** Committee members reviewed the following bills: Senate Bills 5, 24, 123, 128, 130, 135, 184, 224, 233, 381, 402, 428, 431 and House Bills 1091, 1228, 1270, 1314, 1406, 1421.

9. **Juvenile Conference.** Kim Spindler gave an overview of the Juvenile Judicial Officer Annual Meeting on June 20-21, 2018. The first day would focus on trauma issues associated with juveniles. The second day would focus on case law and legislative updates and a presentation by the Commission on Improving the Status of Children in Indiana. She agreed to offer time to Ms. Terry Stigdon, the new DCS director, to talk with the judges at the conference.

10. **Future meeting dates.** The Committee will meet again on March 2, 2018; May 4, 2018; June 22, 2018 at the Renaissance Hotel-Carmel; October 5, 2018; and approved a new meeting date of December 7, 2018.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law
The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Office of Court Services, on Friday, March 2, 2018 from 12:00 noon to 3:15 p.m.

1. **Members present.** Hubert Branstetter, Jr., Vicki L. Carmichael, Darrin M. Dolehanty, James Nivard Fox; Matthew L. Headley; Dana J. Kenworthy, Brett J. Niemeier, Gwenn R. Rinkenberger, and Stephen R. Galvin, Chair.

2. **Staff.** Jeffrey Bercovitz, Matthew Hagenbush, Angela Reid-Brown, Leslie Dunn, Suzanne St. John, Kim Spindler, Nancy Wever and Mary G. Willis provided staff assistance.

3. **Guests.** Ms. Terry Stigdon, Director and Don Travis, Deputy Director of Placement Support & Compliance, Indiana Department of Child Services; and Senior Judge Heimann were also present. Magistrate Gettinger, Indiana’s Jurists in Residence, were also present.

4. **Minutes approved.** The minutes for the Juvenile Justice Improvement Committee meeting on February 2, 2018 were approved.

5. **New DCS Director.** Ms. Terry Stigdon, Executive Director, Indiana Department of Child Services, introduced herself to the committee. She discussed her background and the Child Welfare Group preliminary assessment report of DCS dated March 1, 2018. Members of the committee talked with Ms. Stigdon about child welfare issues. She asked committee members to contact her with any questions at Terry.Stigdon@dcs.in.gov.

6. **Jurist in Residence.** Senior Judge Stephen Heimann and Magistrate Nancy Gettinger gave a report on their recent trip to Jackson, Mississippi for the Casey Foundation Jurist in Residence training. They reported the kick-off for the JCAT pilot program with eight (8) Indiana counties is March 22, 2018.

7. **DMC.** A revised letter to counties about the Disproportionate Minority County (DMC) numbers was shown to the committee. The letter is expected to be emailed to all juvenile court judges next week with the DMC statistics for that county and information on how to read those numbers. The courts will have time to contact the Indiana Criminal Justice Institute with any questions before the numbers are sent to the Office of Juvenile Justice and Delinquency Prevention.

8. **Separate adoption petitions.** Committee members agreed by consensus adoption petitions should be separate for each child, even when two children born from the same parents were being adopted.
9. **School threats.** Committee members discussed recent school threat cases which were occurring in their court. Jeffrey Bercovitz shared information helpful to courts dealing with this issue. Members of the committee agreed by consensus to place a note in the Wednesday message indicating the information was available upon request.

10. **Standard Support order.** Committee members reviewed a form order to be used when a child’s parents are ordered to pay to support to DCS according to Ind. Code § 31-40-1-5. They approved by consensus the use of this form. They agreed notice of this form could be given in the Wednesday message, it could be placed in Odyssey for use by courts and be sent to the Juvenile Benchbook Committee.

11. **Proposed legislation.** Committee members reviewed the following bills: Senate Bills 5, 24, 123, 128, 135, 179, 184, 224, 233, 238, 292, 303, 340, 381, 402, 428, 431, Senate Resolution 14, and House Bills 1091, 1228, 1270, 1314, 1406 and 1421.

12. **Future meeting dates.** The Committee will meet again on March 2, 2018; May 4, 2018; June 22, 2018 at the Renaissance Hotel-Carmel; October 5, 2018; December 7, 2018 and approved a new date of January 4, 2019.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law
The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Office of Court Services, on Friday, May 4, 2018 from 12:00 noon to 3:15 p.m.

1. **Members present.** Hubert Branstetter, Jr., Darrin M. Dolehanty, James Nivard Fox; Matthew L. Headley; Marilyn A. Moores; Bruce E. Petit and Stephen R. Galvin, Chair.

2. **Staff.** Jeffrey Bercovitz, Matthew Hagenbush, Angela Reid-Brown, Leslie Dunn, Tashi Teuschler and Lisa Thompson provided staff assistance.

3. **Guests.** Senior Judge Stephan Heimann and Senior Judge Nancy Gettinger, Indiana’s Jurists in Residence, were also present via speakerphone.

4. **Minutes approved.** The minutes for the Juvenile Justice Improvement Committee meeting on March 2, 2018 were approved.

5. **Jurist in Residence and JCAT.**
   a. Senior Judge Heimann and Magistrate Nancy Gettinger gave a report on the kick-off for the JCAT pilot program with eight (8) Indiana counties on March 22, 2018. Senior Judge Gettinger reported beginning to meet with all judicial officers in the JCAT program and has met with Mag. Domine and Judge Graham. Judge Galvin reported he will meet next week with Sr. Judge Heimann. Senior Judge Gettinger also reported she and Judge Heimann will meet soon with George Dremonas, chief legal counsel, DCS and Don Travis, DCS.
   b. Leslie Dunn reported 637 assessments have been conducted based on their CASA/GAL triage tool. She stated an intervention plan is prepared with each assessment. She said there was a reduction of the waiting list for CASA’s in 7 of the 8 JCAT pilot counties.

6. **CWG review of DCS.**
   a. Angela Reid-Brown, Matt Hagenbush, Leslie Dunn and Judge Moores each reported they were interviewed by the Child Welfare Policy and Practice Group (CWG). Topics mentioned included court continuances, hiring more DCS attorneys, form orders for judicial officers, training of judicial officers, need for DCS support staff, quality and usefulness of DCS data, use of CIP timeliness measures data, local counsel experience and use of contract attorneys, CASA and DCS communication, need for better mental health services, and better training for managers.
   b. The CWG report is scheduled to be completed by June 21, 2018. Members of the committee discussed the need to prepare a response to the CWG in a timely and thoughtful fashion and the need for juvenile court judges to speak with one voice.

7. **Expungement procedure.** Lisa Thompson, Trial Court Technology, asked committee members the form and content of communication back to them after her office complied with
an order of expungement of juvenile records. Members of the committee agreed by consensus the name of the child, the date of the expungement order, and case number could be included back to the court in a short email.

8. Detention Alternatives. Judge Galvin distributed a booklet to judicial officers of the committee entitled, “Juvenile In Justice” by Richard Ross which depicts juveniles in detention centers. Tashi Teuschler reported there was also a book on this topic.

9. Standard Support order. Judge Headley distributed a draft order on child support to be used when the placement of child is changed. Committee members agreed to send this order and the one reviewed at the last meeting of the committee to the Juvenile Benchbook Committee for their disposition.

10. School safety. Members of the committee agreed to add a recent article in the Indiana Lawyer entitled, “School Threats Can Lead to Severe Consequences for Juveniles’ Impulses” to information available to juvenile courts upon request.


12. CIP Timeliness Measures. Matt Hagenbush distributed and reviewed a report of Court Improvement Program (CIP) Timeliness Measures with members of the committee. Committee members discussed the request by CWG for these records and agreed this is information is public record.

13. Other. Judge Moores discussed a recent request from DCS Central Eligibility Unit (CEU) to add an unknown father to the CHINS petition. She noted the difficulty in determining probable cause for an unknown father. She reported she believes this requirement by CEU is for adoption assistance and the need to adjudicate against all potential fathers. She stated the putative father registry would prevent the need to include the unknown father on the CHINS petition.

14. Future meeting dates. The Committee will hold a joint meeting on June 22, 2018 at the Renaissance Hotel-Carmel; and meet again on October 5, 2018; December 7, 2018, January 4, 2019 and approved a new date of February 1, 2019.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law
The Juvenile Justice Improvement Committee, the Juvenile Benchbook Committee, Board of Directors of the Indiana Council of Juvenile and Family Court Judges and the Child Welfare Improvement Committee held a joint meeting at the Renaissance Hotel in Carmel, Indiana on Friday, June 22, 2018. The meeting was convened at 12:54 p.m.

1. Members present.
   b. Juvenile Justice Improvement Committee and Board of Directors of the Indiana Council: Vicki L. Carmichael, Dana Kenworthy, Marilyn A. Moores, and, Darrin M. Dolehanty, President.
   d. Juvenile Benchbook Committee and Board of Directors of the Indiana Council of Juvenile and Family Court Judges: Faith A. Graham.
   e. Child Welfare Improvement Committee: Deborah A. Domine, Jennifer J. Hubartt, Heather M. Mollo, Chair.

2. Staff. Jill Acklin, Jeffrey Bercovitz, Leslie Dunn, Matthew Hagenbush, Angela Reid Brown and Nancy Wever provided staff assistance.

3. Guests. Loretta Rush, Chief Justice of Indiana, was also present.

4. Minutes approved. The minutes for the meeting of the Juvenile Justice Improvement Committee on May 4, 2018 were approved.

5. Detention Alternatives. Judge Galvin distributed a large brochure of very expressive photographs of juveniles in detention. He said to contact him for information about the author of the book on Detention Alternatives.

   a. Amy Karozos distributed information on the Juvenile Defense Project of the Indiana Public Defender Council. The project tries to (1) ensure all youth have attorneys at critical stages of delinquency cases, (2) create system of post-disposition representation of youth, (3)
create a system of training and support for juvenile defense attorneys, and (4) enhance juvenile
data collection.

b. Amy Kazoros reported Criminal Rule 25 is being interpreted differently throughout the
state. Because of the wording of the rule, some counties appoint defense counsel at the detention
hearing, but the youth is not represented at the detention hearing. Committee members agreed to
look at Criminal Rule 25 for possible revision.

c. Amy Kazoros sought support for a no cost extension of the federal grant supporting the
work of the project and support for state funding through the Indiana Public Defenders Council.
Judge Moores moved to support the no cost extension of the federal grant and support state
funding through the Indiana Public Defenders Council. Judge Petit seconded the motion. The
motion was passed.

7. Committee reports.
   a. Judge Graham, Chair, Juvenile Benchbook Committee, reported they will finish revising
      the Delinquency Benchbook soon. In addition, she noted Lisa Manning will assist as staff
      attorney. Their next meeting will be in July.
   b. Magistrate Mollo, Chair, Child Welfare Improvement Committee, explained the makeup
      of this multidisciplinary committee. She distributed a handout reviewing the Legal Orphan’s
      Project and Kids in Court Workbook.

   be amended to provide consent to an adoption is not needed if a parent has an out of state
   conviction substantially like the crimes listed in this statute. He discussed a case of this nature in
   his court. Committee members agreed by consensus a statutory change would be helpful,
   especially in border counties, and the Board agreed unanimously to move forward.

   a. Judge Galvin distributed draft information on the Child Welfare Group (CWG) report,
      which was recently released. He stated courts need to focus on the safety of the children, even if
      there is a reduction in placements. Committee members discussed a response.
   b. Judge Graham suggested judges go through the recommendations in the report, note how
      judges could be helpful in their implementation, and include additional recommendations if
      needed. Committee members also agreed by consensus to distribute a survey of juvenile judge
      recommendations and the Indiana Office of Court Services could compile and take them to the
      Juvenile Justice Improvement Committee for review.

   Being no further business, the meeting was adjourned at 2:20 p.m.

   Respectfully submitted,

   Jeffrey Bercovitz, Director
   Juvenile and Family Law
Juvenile Justice Improvement Committee, Judicial Conference of Indiana Board of Directors, Indiana Council of Juvenile and Family Court Judges

Joint Meeting
October 5, 2018

The Juvenile Justice Improvement Committee and the Board of Directors of the Indiana Council of Juvenile and Family Court Judges held a joint meeting at Indiana Office of Court Services in Indianapolis, Indiana on Friday, October 5, 2018. The meeting was held from 12:00 noon to 3:20 p.m.

1. Members present.
   b. Juvenile Justice Improvement Committee and Board of Directors of the Indiana Council: Dana Kenworthy and Charles F. Pratt.

2. Staff. Jeffrey Bercovitz, Leslie Dunn, Matthew Hagenbush, Angela Reid-Brown and Nancy Wever provided staff assistance.

3. Guests. Sr. Judge Nancy Gettinger, Sr. Judge Stephen Heimann; Todd Meyer, Associate Director, Heather Kestian, Deputy Director, Donald Travis, Deputy Director, Will Young, Legislative Director, Indiana Department of Child Services (DCS); Retired Judge Patricia FitzGerald and Dan Cowan, Casey Family Programs.

4. Minutes approved. The minutes for the joint meeting of the Juvenile Justice Improvement Committee, Juvenile Benchbook Committee, Board of Directors of the Indiana Council of Juvenile and Family Court Judges and the Child Welfare Improvement Committee on June 22, 2018 were approved.

5. Introduction of new members. Judge Kenworthy introduced Judge Thomas P. Stefaniak Jr. and Judge Andrea R. Trevino as new members of the committee.

6. DCS Presentation.
   a. Todd Meyer, Associate Director, DCS, gave a presentation on the CWG Assessment of the Department of Child Services. He reviewed the methodology of the report, findings, strengths, weaknesses, challenges and recommended changes for DCS. Members of the committee asked Mr. Meyer about the training and experience of DCS attorneys, the direction of the attorneys by case managers and county directors and the use of out of house attorneys.
   b. Will Young, Legislative Director, DCS, discussed potential legislation to lower the age of filing TPR for children from 21 to 18 years old, revising a list of nonwaivable offenses to more closely match federal law definitions, and amending the law to permit case managers to remove their names from county-based property tax databases.
c. Heather Kestian, Deputy Director, Strategic Solutions and Agency Transformation gave a presentation on the federal Families First Prevention Services Act (FFPSA). She also distributed the DCS Foster Care Verification form now required by this new act.

7. Response to CWG report.
   a. Sr. Judge Nancy Gettinger and Sr. Judge Stephen Heimann, Jurists in Residence, agreed to synthesize the judicial survey responses and highlight the best ones for a response to the CWG report.
   b. Members of the committee agreed to give to Judge Kenworthy and Judge Dolehanty their top 3 to 5 points for consideration about the CWG report.

8. Draft DCS legislation. Committee members reviewed draft legislation presented the Interim Study Committee on Courts and the Judiciary about DCS.

9. Due process in TPR cases.
   a. Members of the committee discussed a response to A.A. v. DCS, 100 N.E.3d 708 (Ind. Ct. App. 2018), which indicated trial courts have a “duty to ensure that litigants’ due process rights are not violated.” Committee members discussed the need to document service efforts on a form as an exhibit for the record and other suggestions.
   b. Members of the committee agreed to send suggestions to improve due process in TPR cases to Judge Kenworthy and Judge Dolehanty for use in a memorandum to all juvenile court judicial officers.

    a. A report on Juvenile Appointment of Counsel from the Juvenile Defense Project was distributed to committee members.
    b. Judge Petit and Judge Trevino agreed to review the report and bring suggested rule revisions to the next meeting of the committee.

11. Future meeting dates. The committee agreed to meet again on December 7, 2018, at the Indiana Office of Court Services. Committee members also agreed to meet on January 4, 2019, February 1, 2019 and March 1, 2019 from 12:00 Noon – 3:00 p.m. at the Indiana Office of Court Services. They also agreed to meet on Friday, May 3, 2019 from 12:00 noon – 2:00 p.m. in conjunction with the Spring Judicial College in Indianapolis.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law
Juvenile Justice Improvement Committee  
Judicial Conference of Indiana

**Meeting**  
December 7, 2018

The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana held a meeting at Room 1648, North Tower, Indiana Office of Court Services in Indianapolis, Indiana on Friday, December 7, 2018. The meeting was held from 12:00 noon to 3:15 p.m.

1. **Members present.** Hubert Barnstetter, Jr., Darrin M. Dolehanaty, Marilyn A. Moores, Brett J. Niemeier, Bruce E. Petit, Charles F. Pratt, Gwenn R. Rinkenberger, Thomas P. Stefaniak Jr., Andrea R. Trevino and Dana J. Kenworthy, Chair.

2. **Staff.** Jeffrey Bercovitz, Leslie Dunn, Matthew Hagenbush, Kristyn Hill, Angela Reid-Brown and Nancy Wever provided staff assistance.

3. **Guests.** Judge Faith Graham, Sr. Judge Stephen Heimann; Joe Delamater and Kiamesha Colom, Attorneys at Law; Todd Meyer, Associate Director; George Dremonas, General Counsel; Dianna Mejia, Deputy General Counsel; Heather Kestian, Deputy Director; Donald Travis, Deputy Director; and Will Young, Legislative Director, all from Indiana Department of Child Services (DCS); and Amy Karozos and Dr. Torrin Liddell, Indiana Public Defender Council; Julie Whitman, Commission on Improving the Status of Children, was also present.

4. **Minutes approved.** The minutes for the joint meeting of the Juvenile Justice Improvement Committee, Juvenile Benchbook Committee, Board of Directors of the Indiana Council of Juvenile and Family Court Judges and the Child Welfare Improvement Committee on October 5, 2018 were approved.

5. **Foster parents.** Joe Delamater and Kiamesha Colom, married Attorneys at Law, gave a presentation about their recent experience as foster parents. Joe Delamater wants party status for foster parents. He distributed proposed legislation to the committee.

6. **Criminal Rule 25.**
   a. Judge Petit distributed proposed revisions to Criminal Rule 25 to committee members to clarify a juvenile should have an attorney appointed before any hearing were a placement occurs. In addition, he reported the current rule provides once a valid waiver is entered, an attorney is no longer provided; and once the waiver is withdrawn, counsel is reassigned to the juvenile. Small counties indicated they had to scramble to meet this rule. Amy Karozos provided draft language to clarify attorney appointment at the request of the committee.
   b. Judge Niemeier, Judge Petit, and Judge Trevino agreed to review the draft, communicate with Ms. Karozos about the revisions, and bring them back to the next meeting of the committee for consideration.

7. **DCS.**
   a. Don Travis, Deputy Director, gave a presentation on DCS monies spent on delinquent juveniles. He explained a breakdown of the monies spent by county would be sent via email to the juvenile judge and chief probation officer in that county. He stated how he determined the “target” for monies to be spent by the juvenile court in the county. He noted (1) probation consultants do not get this information, (2) he could provide CHINS information to the judge and chief probation office and (3) he may be able to determine the amount of federal money reimbursed by county.
b. George Dremonas and Dianna Mejia explained the return to prior policy, which permits each county to publish notices in local newspapers, rather than have the DCS central office publish notices. The central office will continue to pay for the notices.

c. Heather Kestian distributed information about the federal Family First Prevention and Services Act (FFPSA) to the committee.

- She explained Indiana had chosen, under the federal law, to delay implementation of the portion of FFPSA on residential placements until October 1, 2020.
- She noted that because of Indiana’s Title IV-E waiver being scheduled to end on October 1, 2019, there is need for courts to use the traditional determination of reasonable efforts and placement and care, which is already in the Juvenile Benchbook forms.
- She reported meeting with Angela Reid-Brown and Matt Hagenbush on a monthly basis to coordinate training courts, form revisions and implementation of FFPSA.

d. Will Young gave an overview of legislation DCS was following, which included standing and intervention for foster parents, notice issues and other areas. He stated DCS was working behind the scenes on this issue and other legislation. Todd Meyer indicated no specific DCS bill was planned as had occurred in previous legislative sessions.

e. Todd Meyer discussed the possible return of Service Referral Agreements (SRA) back to DCS. He noted if SRA’s occur, what would Informal Adjustments look like?

- He reported DCS has an “outlier project” in which DCS looks at cases which may be open longer than they should be in order to determine what factors are causing delays in closure.
- Todd Meyer reported there was a high demand for foster parents, but the numbers of foster parents were falling. Judge Moores suggested restarting payments for child care for foster parents.
- He would continue to present ideas to the committee as “asks” for consideration by the committee.

f. Judge Kenworthy indicated judges are on standby to testify about foster parents’ legislation. She asked committee members to get all legislative priorities to her by December 20 in order to exchange committee and DCS and legislative priorities.

8. Due process in TPR cases. Judge Kenworthy distributed a draft “Suggested Best Practices for Involuntary TPR Cases” prepared by her and Judge Dolehanty. She explained this will go out in a Wednesday message. Judge Pratt said this could be used as a training template. Judge Kenworthy asked for any input from the committee by December 20.

9. CWG Report talking points. Judge Kenworthy distributed a draft of judicial talking points about the CWG report on DCS on behalf of Sr. Judge Gettiner. Many comments were received based on the earlier survey of judges. The responses varied significantly. Talking points seemed to be more useful response to the report. Judge Kenworthy asked for feedback from the committee on the talking points by December 20, 2018.

10. Future meeting dates. The committee agreed to meet again on January 4, 2019, February 1, 2019 and March 1, 2019 from 12:00 Noon – 3:00 p.m. at the Indiana Office of Court Services. They also agreed to meet on Friday, May 3, 2019 from 12:00 noon – 2:00 p.m. in conjunction with the Spring Judicial College in Indianapolis.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law