

PROPOSED AMENDMENT

SB 40 # 1

DIGEST

Caregiver counsel pilot program. Establishes the caregiver counsel pilot program in LaPorte County, Marshall County, and Starke County. Provides that an unlicensed caregiver is entitled to representation by counsel in a child in need of services (CHINS) proceeding under certain circumstances.

- 1 Page 1, line 4, delete "IC 31-32-4-1," and insert "**IC 31-32-4-5**,".
- 2 Page 1, delete lines 11 through 17, begin a new paragraph and
- 3 insert:
- 4 "SECTION 2. IC 31-32-4-5 IS ADDED TO THE INDIANA CODE
- 5 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
- 6 **1, 2024]: Sec. 5. (a) The circuit or superior court exercising**
- 7 **jurisdiction over a child in need of services case in any of the**
- 8 **following counties shall establish a caregiver counsel pilot program**
- 9 **to appoint counsel to represent an unlicensed caregiver (as defined**
- 10 **in IC 31-9-2-131.7) in a proceeding for a child in need of services**
- 11 **if the court determines that the unlicensed caregiver is indigent as**
- 12 **described in IC 35-33-7-6.5:**
- 13 **(1) LaPorte County.**
- 14 **(2) Marshall County.**
- 15 **(3) Starke County.**
- 16 **(b) The court shall appoint counsel under this section through**
- 17 **the caregiver counsel pilot program to represent an unlicensed**
- 18 **caregiver (as defined in IC 31-9-2-131.7) in every permanency**
- 19 **hearing held in the child in need of services case under**
- 20 **IC 31-34-21-7.**
- 21 **(c) This section expires July 1, 2026."**
- 22 Delete page 2.
- 23 Renumber all SECTIONS consecutively.
(Reference is to SB 40 as introduced.)