

HOUSE BILL No. 1293

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-23-16.

Synopsis: Family domestic violence court. Establishes a family domestic violence court. Provides that an order in a dispositional decree for a child in need of services case can include participation in a family domestic violence court or mental health court through a problem solving court program.

Effective: July 1, 2024.

Miller K

January 9, 2024, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1293

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-23-16-6.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 6.5. As used in this chapter,**
4 **"family domestic violence court" means a problem solving court**
5 **that supports families that include a child who has been**
6 **adjudicated a child in need of services and focuses on the safety of**
7 **the victim and the abuser's accountability by:**

- 8 (1) **bringing together nonviolence and other professionals,**
- 9 **local social programs, and intensive judicial monitoring;**
- 10 (2) **linking victims and abusers to programs and services; and**
- 11 (3) **linking eligible household members to programs and**
- 12 **services.**

13 SECTION 2. IC 33-23-16-11, AS AMENDED BY P.L.9-2022,
14 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2024]: Sec. 11. A city court or county court may establish a
16 problem solving court. A problem solving court established under this
17 section may be:



- 1 (1) a drug court;
 2 (2) a mental health court;
 3 (3) a family dependency drug court;
 4 (4) a community court;
 5 (5) a reentry court;
 6 (6) a domestic violence court;
 7 **(7) a family domestic violence court;**
 8 ~~(7)~~ **(8)** a veterans' court; or
 9 ~~(8)~~ **(9)** any other court certified as a problem solving court by the
 10 office of judicial administration under section 17 of this chapter.
 11 SECTION 3. IC 33-23-16-13, AS AMENDED BY P.L.95-2013,
 12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2024]: Sec. 13. An individual is eligible to participate in a
 14 problem solving court program only if:
 15 (1) the individual meets all of the eligibility criteria established by
 16 the board under section 12 of this chapter;
 17 (2) the judge of the problem solving court approves the admission
 18 of the individual to the problem solving court program; and
 19 (3) the individual is referred to the problem solving court as a
 20 result of at least one (1) of the following:
 21 (A) A condition of a pretrial diversion program authorized by
 22 statute or authorized by the judge of the problem solving court
 23 and the prosecuting attorney.
 24 (B) The procedure described in section 14 of this chapter.
 25 (C) The procedure described in section 15 of this chapter.
 26 (D) A condition of probation.
 27 (E) A condition of participation in a community corrections
 28 program under IC 11-12-1.
 29 (F) A condition of participation in a forensic diversion
 30 program under IC 11-12-3.7.
 31 (G) A condition of a community transition program under
 32 IC 11-10-11.5.
 33 (H) A condition of parole.
 34 (I) An order in a dispositional decree under IC 31-34-20 to
 35 participate in a family dependency drug court, **a family**
 36 **domestic violence court, or a mental health court** if the
 37 individual is a parent, guardian, or another household member
 38 of a child adjudicated a child in need of services.
 39 (J) A condition of an informal adjustment program under
 40 IC 31-37-9.
 41 (K) Involvement in:
 42 (i) a child support proceeding;



- 1 (ii) a mental health commitment; or
- 2 (iii) a civil protection proceeding.
- 3 (L) A condition of an informal adjustment program under
- 4 IC 31-34-8.
- 5 (M) A condition of a misdemeanor sentence.
- 6 (N) A condition of a program authorized by the:
- 7 (i) judge of a problem solving court; and
- 8 (ii) department of correction or the county sheriff.

