
HOUSE BILL No. 1092

AM109202 has been incorporated into introduced printing.

Synopsis: Department of child services.

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2026

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Introduced

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1092

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

1 SECTION 1. IC 4-38-11-1, AS ADDED BY P.L.293-2019,
2 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 1. (a) The bureau shall provide information to a
4 certificate holder concerning persons who are delinquent in child
5 support.

6 (b) Prior to a certificate holder disbursing a payout of six hundred
7 dollars (\$600) or more, in winnings, from sports wagering to a person
8 who is delinquent in child support and who is claiming the winning
9 sports wager in person at the certificate holder's facility, **or is**
10 **requesting a withdrawal from the person's mobile sports wagering**
11 **account**, the certificate holder:

12 (1) may deduct and retain an administrative fee in the amount of
13 the lesser of:
14 (A) three percent (3%) of the amount of delinquent child
15 support withheld under subdivision (2)(A); or

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1 (B) one hundred dollars (\$100); and
2 (2) shall:
3 (A) withhold the amount of delinquent child support owed
4 from winnings;
5 (B) transmit to the bureau:
6 (i) the amount withheld for delinquent child support;
7 and
8 (ii) identifying information, including the full name,
9 address, and Social Security number of the obligor and
10 the child support case identifier, the date and amount
11 of the payment, and the name and location of the
12 licensed owner, operating agent, or trustee; and
13 (C) issue the obligor a receipt in a form prescribed by the
14 bureau with the total amount withheld for delinquent child
15 support and the administrative fee.
16 (c) The bureau shall notify the obligor at the address provided by
17 the certificate holder that the bureau intends to offset the obligor's
18 delinquent child support with the winnings.
19 (d) The bureau shall hold the amount withheld from the winnings
20 of an obligor for ten (10) business days before applying the amount as
21 payment to the obligor's delinquent child support.
22 (e) The delinquent child support required to be withheld under this
23 section and an administrative fee described under subsection (b)(1)
24 have priority over any secured or unsecured claim on winnings except
25 claims for federal or state taxes that are required to be withheld under
26 federal or state law.
27 SECTION 2. IC 31-14-11-1 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. If:
29 (1) a paternity affidavit is executed under IC 16-37-2-2.1; and
30 (2) the man who executed the paternity affidavit fails to set forth
31 evidence at a child support hearing that rebuts the man's
32 paternity; the paternity affidavit has not been set aside under
33 IC 16-37-2-2.1(k) or IC 16-37-2-2.1(l);
34 an order establishing paternity and child support for the child named
35 in the paternity affidavit may must be obtained at a child support
36 hearing without any further proceedings to establish the child's
37 paternity.
38 SECTION 3. IC 31-16-9-1, AS AMENDED BY P.L.150-2018,
39 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2026]: Sec. 1. (a) This subsection applies before January 1,
41 2007. Upon entering an order for support in:

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10 (1) a dissolution of marriage decree under IC 31-15-2;
11 (2) a legal separation decree under IC 31-15-3; or
12 (3) a child support decree under IC 31-14-11 or IC 31-

24 SECTION 4. IC 31-19-1.5 IS ADDED TO THE INDIANA CODE
25 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2026]:

Chapter 1.5. Communication Between Courts

28 **Sec. 1. (a) If a probate court has before it an adoption petition**
29 **that alleges the child is subject to a child in need of services**
30 **proceeding under IC 31-34, the probate court shall communicate**
31 **with the juvenile court concerning the proceeding arising under**
32 **this article, including:**

36 (3) any permanency plan for the child.
37 (b) Any communication between the courts under this section
38 is for the purpose of ensuring the best interest of the child.

38 is for the purpose of ensuring the best interest of the child.
39 **Sec. 2. A record must be made of communication under section**
40 **1 of this chapter. The parties must be:**

40 for this chapter. The parties must be:

41 (1) promptly informed of the communication; and

42 (2) granted access to the record.



1 SECTION 5. IC 31-19-2-6, AS AMENDED BY P.L.206-2015,
 2 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 6. (a) A petition for adoption must specify the
 4 following:
 5 (1) The:
 6 (A) name if known;
 7 (B) sex, race, and age if known, or if unknown, the
 8 approximate age; and
 9 (C) place of birth;
 10 of the child sought to be adopted.
 11 (2) The new name to be given the child if a change of name is
 12 desired.
 13 (3) Whether or not the child possesses real or personal property
 14 and, if so, the value and full description of the property.
 15 (4) The:
 16 (A) name, age, and place of residence of a petitioner for
 17 adoption; and
 18 (B) if married, place and date of their marriage.
 19 (5) The name and place of residence, if known to the petitioner
 20 for adoption, of:
 21 (A) the parent or parents of the child;
 22 (B) if the child is an orphan:
 23 (i) the guardian; or
 24 (ii) the nearest kin of the child if the child does not
 25 have a guardian;
 26 (C) the court or agency of which the child is a ward if the
 27 child is a ward; or
 28 (D) the agency sponsoring the adoption if there is a sponsor.
 29 (6) The time, if any, during which the child lived in the home of
 30 the petitioner for adoption.
 31 (7) Whether the petitioner for adoption has been convicted of:
 32 (A) a felony; or
 33 (B) a misdemeanor relating to the health and safety of
 34 children;
 35 and, if so, the date and description of the conviction.
 36 (8) Whether or not a current, ongoing child support order or
 37 medical support order is in effect for the child sought to be
 38 adopted.
 39 **(9) If a child sought to be adopted is the subject of an open or**
 40 **pending:**
 41 **(A) child in need of services proceeding under IC 31-34;**
 42 **or**



(B) delinquency proceeding under IC 31-37; except an informal adjustment, the court in which the proceeding is open or pending and the case number, if known.

(9) (10) Additional information consistent with the purpose and provisions of this article that is considered relevant to the proceedings.

- (1) A copy of the child support order or medical support order.
- (2) A statement as to whether the child support order or medical support order is enforced by the prosecuting attorney through the Title IV-D child support program under IC 31-25-4.

SECTION 6. IC 31-19-2-12, AS AMENDED BY P.L.128-2012, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. As soon as a petition for adoption is found to be in proper form, the clerk of the court shall:

(1) forward one (1) copy of the petition for adoption to a licensed child placing agency as described in IC 31-9-2-17.5, with preference to be given to the agency, if any, sponsoring the adoption, as shown by the petition for adoption; and

(2) if the child is in the care and custody of the department, forward an additional copy of the petition to the department.

FORWARD AN ADDITIONAL COPY OF THE PETITION TO THE DEPARTMENT.

SECTION 7. IC 31-19-2-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 17. The department has a right to intervene as a party in a proceeding under this article if the child who is the subject of a petition for adoption is:**

(1) alleged to be or has been adjudicated a child in need of services; and

(2) the subject of a pending child in need of services proceeding under IC 31-34

proceeding under IC 31-34.
SECTION 8. IC 31-19-2.5-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Not more than fifteen (15) days after the date that the department receives:

(1) notice under section 3 of this chapter; or

(1) notice under section 5 of this chapter, or
(2) information from a probate court under IC 31-30-1-6.5;

(2) information from a probate court under IC 31-36-1-6.3, whenever occurs earlier, regarding a child who is the subject of an open or pending child in need of services proceeding under



1 **IC 31-34, the department shall file a notice with the juvenile court**
 2 **in which the child in need of services proceeding is pending. An**
 3 **open or pending proceeding under this subsection does not include**
 4 **an informal adjustment.**

5 **(b) The notice described in subsection (a) must contain the**
 6 **following information:**

7 **(1) The date on which the adoption was filed.**

8 **(2) The court in which the adoption was filed and the case**
 9 **number.**

10 **(c) Notice filed under this section does not violate**
 11 **IC 31-19-19-2.**

12 SECTION 9. IC 31-19-19-2, AS AMENDED BY P.L.128-2012,
 13 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2026]: Sec. 2. (a) All files and records pertaining to the
 15 adoption proceedings in:

16 **(1) the local office;**

17 **(2) the department; or**

18 **(3) any of the licensed child placing agencies;**

19 are confidential and open to inspection only as provided in
 20 IC 31-19-13-2(2), IC 31-19-17, this chapter, or IC 31-19-20 through
 21 IC 31-19-25.5.

22 (b) The files and records described in subsection (a), including
 23 investigation records under IC 31-19-8-5 (or IC 31-3-1-4 before its
 24 repeal):

25 **(1) are open to the inspection of the court hearing the petition for**
 26 **adoption; and**

27 **(2) on order of the court, may be:**

28 **(A) introduced into evidence; and**

29 **(B) made a part of the record;**

30 **in the adoption proceeding; and**

31 **(3) are open to inspection of the juvenile court in which**
 32 **notice has been filed under IC 31-19-2.5-7.**

33 SECTION 10. IC 31-27-3-3, AS AMENDED BY P.L.81-2025,
 34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2026]: Sec. 3. (a) An applicant must apply for a child caring
 36 institution license on forms provided by the department.

37 (b) An applicant must submit the required information as part of
 38 the application.

39 (c) The applicant must submit with the application a statement
 40 attesting the following:

41 **(1) Whether the applicant has been convicted of:**

42 **(A) a felony; or**



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1 history report that the department receives on behalf of any
2 person described in subsection (d); and
3 (4) maintain a record of every report and all information the
4 department receives concerning a person described in subsection
5 (d).

6 (g) Except as provided in subsection (h), a criminal history check
7 described in subsection (d) is required only at the time an application
8 for a new license or the renewal of an existing license is submitted.

9 (h) Except as provided in subsection (i), a criminal history check
10 of each person described in subsection (d)(2), (d)(3), or (d)(4) must be
11 completed on or before the date the person:
12 (1) is employed;
13 (2) is assigned as a volunteer; or
14 (3) enters into, or the person's employing entity enters into, a
15 contract with the applicant.

16 (i) An individual may be employed by a child caring institution as
17 an employee, volunteer, or contractor before a criminal history check
18 of the individual is completed as required under subsection (h) if all of
19 the following conditions are satisfied:
20 (1) The following checks have been completed regarding the
21 individual:
22 (A) A fingerprint based check of national crime information
23 data bases under IC 31-9-2-22.5(1).
24 (B) A national sex offender registry check under
25 IC 31-9-2-22.5(3).
26 (C) An in-state local criminal records check under
27 IC 31-9-2-22.5(4).
28 (D) An in-state child protection index check under
29 IC 31-33-26.
30 (2) If the individual has resided outside Indiana at any time
31 during the five (5) years preceding the individual's date of hiring
32 by the child caring institution, the following checks have been
33 requested regarding the individual:
34 (A) An out-of-state child abuse registry check under
35 IC 31-9-2-22.5(2).
36 (B) An out-of-state local criminal records check under
37 IC 31-9-2-22.5(4).
38 (3) The individual's employment before the completion of the
39 criminal history check required under subsection (h) is limited
40 to training during which the individual:
41 (A) does not have contact with children who are under the

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care and control of the child caring institution; and
(B) does not have access to records containing information
regarding children who are under the care and control of the
child caring institution.

(4) The individual completes an attestation, under penalty of perjury, disclosing:

- (A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and
- (B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation.

(j) The applicant or facility is responsible for any fees associated with a criminal history check.

(k) The department shall, at the applicant's request, inform the applicant whether the department has or does not have a record of the person who is the subject of a criminal history check and if the department has identified the person as an alleged perpetrator of abuse or neglect. The department may not provide to the applicant any details or personally identifying information contained in any child protective services investigation report.

(l) A person who is the subject of a criminal history check conducted in accordance with this section may request the state police department to provide the person with a copy of any state or national criminal history report concerning the person.

SECTION 11. IC 31-27-3-5, AS AMENDED BY P.L.243-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The following constitute sufficient grounds for a denial of a license application:

(1) A determination by the department of child abuse or neglect by:

(A) the applicant; or

(B) an employee, volunteer, or contractor of the applicant.

(2) A criminal conviction of the applicant, or the director or manager of a facility where children will be placed by the applicant, of:

(A) a felony;

(B) a misdemeanor related to the health and safety of a



1 child;

2 (C) a misdemeanor for operating a child caring institution,
3 foster family home, group home, or child placing agency
4 without a license under this article (or IC 12-17.4 before its
5 repeal); or

6 (D) a misdemeanor for operating a child care center or child
7 care home without a license under IC 12-17.2.

8 (3) A determination by the department that the applicant made
9 false statements in the applicant's application for licensure.

10 (4) A determination by the department that the applicant made
11 false statements in the records required by the department.

12 (5) A determination by the department that:

13 (A) the applicant; or

14 (B) an employee, volunteer, or contractor of the applicant;
15 previously operated a home or facility without a license required
16 under any applicable provision of this article (or IC 12-17.4
17 before its repeal) or IC 12-17.2.

18 (6) A juvenile adjudication of the applicant for a nonwaivable
19 offense, as defined in IC 31-9-2-84.8 that, if committed by an
20 adult, would be a felony.

21 **(7) A determination by the department that the applicant
22 was previously licensed under this article and the license was
23 revoked within one (1) year of the current application.**

24 (b) An application for a license may also be denied if an employee,
25 volunteer, or contractor of the applicant has had any of the following:

26 (1) A conviction of a nonwaivable offense, as defined in
27 IC 31-9-2-84.8.

28 (2) A conviction of any other felony or a misdemeanor relating
29 to the health and safety of a child, unless the applicant is granted
30 a waiver by the department with regard to the employee,
31 volunteer, or contractor.

32 (3) A juvenile adjudication for a nonwaivable offense, as defined
33 in IC 31-9-2-84.8 that, if committed by an adult, would be a
34 felony, unless the applicant is granted a waiver by the
35 department with regard to the employee, volunteer, or contractor.

36 (c) In determining whether to grant a waiver under subsection (b),
37 the department shall consider the following factors:

38 (1) The length of time that has passed since the disqualifying
39 conviction.

40 (2) The severity, nature, and circumstances of the offense.

41 (3) Evidence of rehabilitation.

42 (4) The duties and qualifications required for the proposed

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employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

- (1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the applicant; and
- (2) the department determines that the employee, volunteer, or contractor has been dismissed by the applicant within a reasonable time after the applicant became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the denial of a license application.

(e) The department may adopt rules to implement this section.

SECTION 12. IC 31-27-5-6, AS AMENDED BY P.L.243-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The following constitute sufficient grounds for a denial of a license application:

- (1) A determination by the department of child abuse or neglect by:
 - (A) the applicant; or
 - (B) an employee, volunteer, or contractor of the applicant.
- (2) A criminal conviction of the applicant, or the director or manager of a facility where children will be placed by the applicant, for any of the following:
 - (A) A felony.
 - (B) A misdemeanor related to the health and safety of a child.
 - (C) A misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its repeal).
 - (D) A misdemeanor for operating a child care center or child care home without a license under IC 12-17.2.
- (3) A determination by the department that the applicant made false statements in the applicant's application for licensure.
- (4) A determination by the department that the applicant made false statements in the records required by the department.
- (5) A determination by the department that:
 - (A) the applicant; or
 - (B) an employee, volunteer, or contractor of the applicant; previously operated a home or facility without a license required

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1 under any applicable provision of this article (or IC 12-17.4
 2 before its repeal) or IC 12-17.2.

3 (6) A juvenile adjudication of the applicant for a nonwaivable
 4 offense, as defined in IC 31-9-2-84.8 that, if committed by an
 5 adult, would be a felony.

6 **(7) A determination by the department that the applicant
 7 was previously licensed under this article and the license was
 8 revoked within one (1) year of the current application.**

9 (b) An application for a license may also be denied if an employee,
 10 volunteer, or contractor of the applicant has had any of the following:

11 (1) A conviction of a nonwaivable offense, as defined in
 12 IC 31-9-2-84.8.

13 (2) A conviction of any other felony or a misdemeanor relating
 14 to the health and safety of a child, unless the applicant is granted
 15 a waiver by the department to employ or assign the person as a
 16 volunteer in a position described in this subsection.

17 (3) A juvenile adjudication for a nonwaivable offense, as defined
 18 in IC 31-9-2-84.8 that, if committed by an adult, would be a
 19 felony, unless the applicant is granted a waiver by the
 20 department to employ or assign the person as a volunteer in a
 21 position described in this subsection.

22 (c) In determining whether to grant a waiver under subsection (b),
 23 the department shall consider the following factors:

24 (1) The length of time that has passed since the disqualifying
 25 conviction.

26 (2) The severity, nature, and circumstances of the offense.

27 (3) Evidence of rehabilitation.

28 (4) The duties and qualifications required for the proposed
 29 employment positions, volunteer assignment, or contract.

30 (d) Notwithstanding subsection (a) or (b), if:

31 (1) a license application could be denied due to a criminal
 32 conviction of, or a determination of child abuse or neglect by, an
 33 employee, volunteer, or contractor of the applicant; and

34 (2) the department determines that the employee, volunteer, or
 35 contractor has been dismissed by the applicant within a
 36 reasonable time after the applicant became aware of the
 37 conviction or determination;

38 the criminal conviction of, or determination of child abuse or neglect
 39 by, the former employee, former volunteer, or former contractor does
 40 not constitute a sufficient basis for the denial of a license application.

41 (e) The department may adopt rules to implement this section.

42 SECTION 13. IC 31-27-6-3, AS AMENDED BY P.L.243-2019,



1 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 3. (a) The following constitute sufficient grounds
 3 for denial of a license application:

4 (1) A determination by the department of child abuse or neglect
 5 by:
 6 (A) the applicant; or
 7 (B) an employee, volunteer, or contractor of the applicant.
 8 (2) A criminal conviction of the applicant, or the director or
 9 manager of a facility where children will be placed by the
 10 licensee, for any of the following:
 11 (A) A felony.
 12 (B) A misdemeanor related to the health and safety of a
 13 child.
 14 (C) A misdemeanor for operating a child caring institution,
 15 foster family home, group home, or child placing agency
 16 without a license under this article (or IC 12-17.4 before its
 17 repeal).
 18 (D) A misdemeanor for operating a child care center or
 19 child care home without a license under IC 12-17.2.
 20 (3) A determination by the department that the applicant made
 21 false statements in the applicant's application for licensure.
 22 (4) A determination by the department that the applicant made
 23 false statements in the records required by the department.
 24 (5) A determination by the department that:
 25 (A) the applicant; or
 26 (B) an employee, volunteer, or contractor of the applicant;
 27 previously operated a home or facility without a license required
 28 under any applicable provision of this article (or IC 12-17.4
 29 before its repeal) or IC 12-17.2.
 30 (6) A juvenile adjudication of the applicant for a nonwaivable
 31 offense, as defined in IC 31-9-2-84.8 that, if committed by an
 32 adult, would be a felony.
 33 (7) **A determination by the department that the applicant
 34 was previously licensed under this article and the license was
 35 revoked within one (1) year of the current application.**
 36 (b) An application for a license may also be denied if an employee,
 37 volunteer, or contractor of the applicant has had any of the following:
 38 (1) A conviction of a nonwaivable offense, as defined in
 39 IC 31-9-2-84.8.
 40 (2) A conviction of any other felony or a misdemeanor relating
 41 to the health and safety of a child, unless the applicant is granted
 42 a waiver by the department with regard to the employee,



volunteer, or contractor.

(3) A juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony, unless the applicant is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

- (3) Evidence of rehabilitation.
- (4) The duties and qualifications required for the proposed

employment positions, volunteer assignments,

d) Notwithstanding subsection (a) or (b), if:

(1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the applicant; and

employee, volunteer, or contractor of the applicant, and (2) the department determines that the employee, volunteer, or contractor has been dismissed by the applicant within a reasonable time after the applicant became aware of the conviction or determination:

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the denial of a license application.

(e) The department may adopt rules to implement this section.

SECTION 14. IC 31-30-1-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.5. If allegations in the petition for adoption or evidence produced at an adoption proceeding indicates that the child for whom the adoption decree is requested meets the definition of a child adjudicated or alleged to be a child in need of services under IC 31-34-1, the probate court shall do the following on its own motion or at the request of a party to the adoption matter:**

(1) Send the petition for adoption and current chronological case summary to the department in the county where the child in need of services matter is pending.

(2) Direct the department to determine whether the child for whom the adoption is requested is the subject of a pending child in need of services matter.

(3) If the child is the subject of a pending a child in need of services matter communicate with the juvenile court as



1 **required under IC 31-19-1.5-1.**

2 SECTION 15. IC 31-33-8-7, AS AMENDED BY P.L.213-2021,
 3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2026]: Sec. 7. (a) The department's assessment, to the extent
 5 that is reasonably possible, must include the following:

- 6 (1) The nature, extent, and cause of the known or suspected child
 7 abuse or neglect.
- 8 (2) The identity of the person allegedly responsible for the child
 9 abuse or neglect.
- 10 (3) The names and conditions of other children in the home.
- 11 (4) An evaluation of the parent, guardian, custodian, or person
 12 responsible for the care of the child.
- 13 (5) The home environment and the relationship of the child to
 14 the parent, guardian, or custodian or other persons responsible
 15 for the child's care.
- 16 (6) All other data considered pertinent.

17 (b) The assessment may include the following:

- 18 (1) A visit to the child's home.
- 19 (2) An interview with the subject child:
 - 20 (A) upon receiving parental consent;
 - 21 (B) upon receiving a court order; or
 - 22 (C) if there are exigent circumstances as defined by
 23 IC 31-9-2-44.1.
- 24 (3) A physical, psychological, or psychiatric examination of any
 25 child in the home.

26 (c) If:

- 27 (1) admission to the home, the school, or any other place that the
 28 child may be; or
- 29 (2) permission of the parent, guardian, custodian, or other
 30 persons responsible for the child for the physical, psychological,
 31 or psychiatric examination;

32 under subsection (b) cannot be obtained, the juvenile court, upon good
 33 cause shown, shall follow the procedures under IC 31-32-12.

34 (d) If a custodial parent, a guardian, or a custodian of a child
 35 refuses to allow the department to interview the child after the
 36 caseworker has attempted to obtain the consent of the custodial parent,
 37 guardian, or custodian to interview the child, the department may
 38 petition a court to order the custodial parent, guardian, or custodian to
 39 make the child available to be interviewed by the caseworker.

40 (e) If the court finds that:

- 41 (1) a custodial parent, a guardian, or a custodian has been



1 informed of the hearing on a petition described under subsection
2 (d); and

(2) the department has made reasonable and unsuccessful efforts to obtain the consent of the custodial parent, guardian, or custodian to interview the child;

the court shall specify in the order the efforts the department made to obtain the consent of the custodial parent, guardian, or custodian and may grant the motion to interview the child, either with or without the custodial parent, guardian, or custodian being present.

10 (f) If the department requests to interview a child at the child's
11 school, the school, except a nonaccredited nonpublic school that has
12 less than one (1) employee, shall grant access to the department to
13 interview the child alone, if the department employee presents:

14 (1) their credentials as a department case worker, department
15 issued credential, or other proof of employment with the
16 department, for inspection upon arrival at the school; and

17 (2) a written statement that the department "has parental consent
18 or a court order, or exigent circumstances exist as defined by
19 IC 31-9-2-44.1 to interview [insert child's name]". The written
20 statement under this subdivision shall not disclose any of the
21 facts of the allegations or evidence and may be transmitted to the
22 school electronically.

23 (g) If the department provides a written statement under
24 subsection (f)(2), the school shall:

25 (1) not maintain the written statement in the child's file; and
26 (2) protect the child and the child's family's confidentiality
27 regarding the written statement and the interview.

28 (h) If a parent, guardian, or custodian of a child who is the subject
29 of a substantiated investigation of abuse or neglect is an active duty
30 member of the military, the department shall notify the United States
31 Department of Defense Family Advocacy Program of the assessment
32 concerning the child of the active duty member of the military upon
33 request.

