

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 ENROLLED ACT No. 1257

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:

SECTION 1. IC 16-49-4-2, AS AMENDED BY P.L.171-2025, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The statewide child fatality review committee consists of the following members:

- (1) **The following members** appointed by the governor:
 - (1) ~~(A)~~ (A) A coroner or deputy coroner.
 - (2) ~~(B)~~ (B) A representative from the state department who:
 - ~~(A)~~ (i) is a licensed physician; or
 - ~~(B)~~ (ii) specializes in injury prevention.
 - (3) ~~(C)~~ (C) A representative of a:
 - ~~(A)~~ (i) local health department established under IC 16-20-2; or
 - ~~(B)~~ (ii) multiple county health department established under IC 16-20-3.
 - (4) ~~(D)~~ (D) A pediatrician.
 - (5) ~~(E)~~ (E) A representative of law enforcement who has experience in investigating child deaths.
 - (6) ~~(F)~~ (F) A representative from an emergency medical services provider.
 - (7) ~~(G)~~ (G) The director or a representative of the department of child services.

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~~(8)~~ **(H)** A representative of a prosecuting attorney who has experience in prosecuting child abuse.

~~(9)~~ **(I)** A pathologist who is:

~~(A)~~ **(i)** certified by the American Board of Pathology in forensic pathology; and

~~(B)~~ **(ii)** licensed to practice medicine in Indiana.

~~(10)~~ **(J)** A mental health provider.

~~(11)~~ **(K)** A representative of a child abuse prevention program.

~~(12)~~ **(L)** A representative of the department of education.

~~(13)~~ **(M)** An epidemiologist.

~~(14)~~ **(N)** The state child fatality review coordinator.

~~(15)~~ **(O)** At the discretion of the department of child services ombudsman, a representative of the office of the department of child services ombudsman established by IC 4-13-19-3.

(2) One (1) member appointed by the speaker of the house of representatives.

(3) One (1) member appointed by the president pro tempore of the senate.

(4) One (1) member appointed by the minority leader of the house of representatives.

(5) One (1) member appointed by the minority leader of the senate.

SECTION 2. IC 31-9-2-19.3, AS ADDED BY P.L.138-2007, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19.3. "Child welfare agency", for purposes of IC 31-25-2-20.4 and IC 31-33-18-1.6, means:

(1) the department of child services; and

(2) a person (as defined in IC 24-4-14-5) that, directly or indirectly, provides:

(A) services to a child or family of a child, for which payment is made, in whole or in part, by the department of child services or a local office of the department of child services;

(B) services to:

(i) a child who is; or

(ii) a family with;

a child at imminent risk of placement (as defined in IC 31-26-5-1) who is referred by the department of child services or a local office of the department of child services to the person for family support or family preservation services; or

(C) assistance to or works in cooperation with the department of child services in the investigations of allegations of possible



child abuse or neglect in accordance with IC 31-33.

SECTION 3. IC 31-9-2-81.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 81.7. "Near fatality", for purposes of IC 31-33-18.5, means a severe childhood injury or condition that is certified by a physician as being life threatening.**

SECTION 4. IC 31-9-2-112.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 112.4. (a) "Reunification services" means all services that are provided:**

(1) to a parent, guardian, or custodian of a child who is the subject of a petition alleging that the child is a child in need of services; and

(2) with the intent of rehabilitating the relationship between the child and the parent, guardian, or custodian.

(b) The term includes services such as:

(1) individual, group, and family counseling;

(2) inpatient, residential, or outpatient substance abuse treatment services;

(3) mental health services;

(4) assistance to address domestic violence;

(5) services designed to provide temporary child care and therapeutic services for families;

(6) peer-to-peer mentoring and support groups for parents and primary caregivers;

(7) services and activities designed to facilitate access to and visitation of children by parents and siblings;

(8) substance abuse treatment and screening; and

(9) transportation to or from any of the services and activities described in this subsection.

(c) The term does not include services provided to a parent, guardian, or custodian of a child while the child is residing in a:

(1) child caring institution;

(2) group home; or

(3) private secure facility;

licensed by the department.

SECTION 5. IC 31-9-2-113.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 113.6. "Screened out", with regard to a report of known or suspected child abuse or neglect under IC 31-33, means that the department:**

(1) received the report under IC 31-33-7; and



- (2) did not refer the report for investigation under IC 31-33-9 based on the department's determination that the report:**
- (A) lacked sufficient information;**
 - (B) did not contain allegations of child abuse or neglect;**
 - (C) contained duplicative allegations that were previously assessed by the department; or**
 - (D) did not contain information indicating a current risk to a child.**

SECTION 6. IC 31-19-16-2, AS AMENDED BY P.L.128-2012, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A court may grant postadoption contact privileges if:

- (1) the court determines that the best interests of the child would be served by granting postadoption contact privileges;
- (2) the child is at least ~~two (2) years~~ **twelve (12) months** of age and the court finds that there is a significant emotional attachment between the child and the birth parent;
- (3) each adoptive parent consents to the granting of postadoption contact privileges;
- (4) the adoptive parents and the birth parents:
 - (A) execute a postadoption contact agreement; and
 - (B) file the agreement with the court;
- (5) the licensed child placing agency sponsoring the adoption and the child's court appointed special advocate or guardian ad litem appointed under IC 31-32-3 recommends to the court the postadoption contact agreement, or if there is no licensed child placing agency sponsoring the adoption, the local office or other agency that prepared an adoption report under IC 31-19-8-5 is informed of the contents of the postadoption contact agreement and comments on the agreement in the agency's report to the court;
- (6) consent to postadoption contact is obtained from the child if the child is at least twelve (12) years of age; and
- (7) the postadoption contact agreement is approved by the court.

SECTION 7. IC 31-25-2-24, AS AMENDED BY P.L.11-2023, SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) Before December 31 of each year, the department shall annually prepare a report concerning all child fatalities **or near fatalities** in Indiana that are the result of child abuse or neglect in the preceding calendar year. The report must include the following information:

- (1) A summary of the information gathered concerning child



fatalities **or near fatalities** resulting from abuse or neglect.

(2) Demographic information regarding victims, perpetrators, and households involved in child fatalities **or near fatalities** resulting from abuse or neglect.

(3) An analysis of the primary risk factors involved in child fatalities **or near fatalities** resulting from abuse or neglect.

(4) A summary of the most frequent causes of child fatalities **or near fatalities** resulting from abuse or neglect.

(5) A description of the manner in which the information was assembled.

The department shall post the report prepared under this section on the department's website.

(b) As part of the summary of information described in subsection (a)(1), the report must include **the following information for each child fatality or near fatality:**

(1) Whether, **at the time of the child's fatality or near fatality or at any time before the child's fatality or near fatality**, the child was alleged or adjudicated to be a child in need of services under IC 31-34-1 ~~in a child in need of services proceeding that had not been closed at the time of the event that led to the child's death; and or was the subject of a program of informal adjustment.~~

(2) Whether, at the time of the event that led to the child's ~~death;~~ **fatality or near fatality**, the child:

(A) had been ordered to remain in the child's home;

(B) was on a trial home visit;

(C) was placed in foster care; **or**

(D) was residing in a residential treatment facility. ~~or~~

~~(E) was the subject of a program of informal adjustment.~~

(3) **The following information regarding each report of known or suspected child abuse or neglect that the department received regarding the child and screened out:**

(A) **The date on which the report was received.**

(B) **The documented reason or reasons for:**

(i) **the recommendation of the department's intake personnel that the report be screened out; and**

(ii) **the approval of the recommendation under item (i) by each department supervisor, director, or other official that reviewed the recommendation.**

Names or other identifying information of department employees may be omitted or redacted from the information reported under this subdivision.



(4) A detailed description of the actions taken by the department concerning the child, including the following:

(A) A summary of any investigation of alleged child abuse and neglect concerning the child, including any relevant risk and safety assessment concerning the child, that was conducted by the department before the child fatality or that was ongoing at the time of the child fatality.

(B) With regard to an investigation reported under clause (A) that resulted in a determination that the allegation of child abuse or neglect was unsubstantiated:

(i) a narrative, chronological summary of the investigation; and

(ii) the department's reasoning for determining that the allegation was unsubstantiated.

This subdivision does not apply to a near fatality.

(5) The name of the judge who presided over any detention hearing concerning the child under IC 31-34-5 the result of which was release of the child to the child's parent, guardian, or custodian.

(6) If the child was the subject of one (1) or more petitions alleging that the child was a child in need of services:

(A) for each child in need of services petition:

(i) the allegations that prompted the filing of the child in need of services petition;

(ii) a narrative, chronological summary of the child in need of services proceeding;

(iii) any judicial findings that were issued by the court in the child in need of services proceeding; and

(iv) a description of the disposition of the petition, including a description of the dispositional decree, if any, entered by the court; and

(B) the name of the judge who presided over the most recent child in need of services proceeding concerning the child.

This subdivision does not apply to a near fatality.

(7) A summary of any child abuse and neglect investigation conducted concerning the child after the child's fatality or near fatality, including:

(A) the nature and extent of the child's present and past injuries;

(B) medical information pertaining to the child's fatality, if applicable; and



(C) information regarding any criminal charges brought in connection with the investigation, including the name of any individual convicted of criminal charges brought in connection with the investigation.

(8) What actions the department took in response to the child fatality or near fatality, including any:

(A) change to policy or practice; or

(B) recommendation for a change in policy, practice, or law.

(9) If the child was the subject of a child in need of services proceeding and:

(A) the proceeding was dismissed; or

(B) the child was discharged under IC 31-34-21-11;

before the child's death, a brief summary of the reasons for the court's action under clause (A) or (B).

(c) As part of the annual report required by subsection (a), before December 31 of each year, the department shall report the following:

(1) The number of ~~children who died~~ **child fatalities or near fatalities** in Indiana in the preceding calendar year for whom abuse or neglect was suspected to be a factor in the ~~child's death~~ **child fatality or near fatality**.

(2) The:

(A) number of children described in subdivision (1) whose cause of ~~death~~ **fatality or near fatality** was determined to be related to abuse or neglect; and

(B) number of children described in subdivision (1) whose cause of ~~death~~ **fatality or near fatality** was determined to be unrelated to abuse or neglect.

(3) The number of children described in subdivision (2)(A) who were the subject of a department assessment based on an allegation of abuse or neglect.

(4) The number of children described in subdivision (3) who were the subject of a department assessment based on an allegation of abuse or neglect that was determined to be substantiated.

(5) The number of children described in subdivision (3) who were the subject of a department assessment based on an allegation of abuse or neglect that was determined to be unsubstantiated.

(6) For each child described in subdivision (3), the following information:

(A) The cause and manner of the ~~child's death~~ **child fatality or near fatality**.

(B) The:



(i) number of department assessments of the child that were based on an allegation of abuse or neglect that was determined to be substantiated; and

(ii) number of department assessments of the child that were based on an allegation of abuse or neglect that was determined to be unsubstantiated.

(C) The child's relationship to the perpetrator or perpetrators of the abuse or neglect to which the ~~child's death~~ **child fatality or near fatality** was determined to be related.

(D) For each perpetrator described in clause (C):

(i) whether, prior to the allegation of abuse or neglect to which the ~~death fatality or near fatality~~ **fatality or near fatality** of the child described in subdivision (3) was related, a substantiated allegation of abuse or neglect resulted in the perpetrator being determined to have abused or neglected the child or another child; ~~and~~

(ii) the number of substantiated reports of abuse or neglect described in item (i);

(iii) whether, before the allegation of abuse or neglect to which the fatality or near fatality of the child described in subdivision (3) was related, an investigation of an allegation of abuse or neglect of the child or of another child resulted in the allegation being determined to be unsubstantiated; and

(iv) the number of unsubstantiated reports of abuse or neglect described in item (iii).

(d) Not later than January 31 of each year, the department shall provide to the executive director of the legislative services agency, for distribution to the interim study committee on child services, a copy of the most recent annual report prepared by the department under this section. The report provided to the executive director of the legislative services agency under this subsection must be in an electronic format under IC 5-14-6.

SECTION 8. IC 31-33-8-1, AS AMENDED BY P.L.198-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department shall initiate an appropriately thorough child protection assessment of every report of known or suspected child abuse or neglect the department receives, whether in accordance with this article or otherwise, **unless the report is screened out and referred to a law enforcement agency.**

(b) If a report of known or suspected child abuse or neglect is received from a judge or prosecutor requesting the department to



initiate a child protection assessment, the department shall initiate an assessment in accordance with this section.

(c) If a report of known or suspected child abuse or neglect is received from:

- (1) medical personnel;
- (2) school personnel;
- (3) a social worker;
- (4) law enforcement officials or personnel;
- (5) judiciary personnel; or
- (6) prosecuting attorney personnel;

the department shall forward the report to the local office to determine if the department will initiate an assessment in accordance with this section.

(d) If the department believes that a child is in imminent danger of serious bodily harm, the department shall initiate an onsite assessment immediately, but not later than two (2) hours, after receiving the report.

(e) If the report alleges a child may be a victim of child abuse, the assessment shall be initiated immediately, but not later than twenty-four (24) hours after receipt of the report.

(f) If reports of child neglect are received, the assessment shall be initiated within a reasonably prompt time, but not later than five (5) days, with the primary consideration being the well-being of the child who is the subject of the report.

(g) If the report alleges that a child lives with a parent, guardian, or custodian who is married to or lives with a person who:

- (1) has been convicted of:
 - (A) neglect of a dependent under IC 35-46-1-4; or
 - (B) a battery offense under IC 35-42-4; or
- (2) is required to register as a sex or violent offender under IC 11-8-8;

the department shall initiate an assessment within a reasonably prompt time, but not later than five (5) days after the department receives the report, with the primary consideration being the well-being of the child who is the subject of the report.

(h) If the safety or well-being of a child appears to be endangered or the facts otherwise warrant, the assessment shall be initiated regardless of the time of day.

(i) If a report alleges abuse or neglect and involves a child care ministry that is exempt from licensure under IC 12-17.2-6, the department and the appropriate law enforcement agency shall jointly conduct an investigation. The investigation shall be conducted under the requirements of this section and section 2(b) of this chapter.



SECTION 9. IC 31-33-18-1, AS AMENDED BY P.L.77-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as provided in ~~section sections~~ **1.5 and 1.6** of this chapter **and IC 31-33-18.5**, the following are confidential:

- (1) Reports made under this article (or IC 31-6-11 before its repeal).
- (2) Any other information, documents, reports, pictures, videos, images, or recordings obtained, possessed, produced, or created by:
 - (A) the division of family resources;
 - (B) the local office;
 - (C) the department; or
 - (D) the department of child services ombudsman established by IC 4-13-19-3;

concerning a child or family with whom the department has received a report or referral or has been involved with during any stage of the department's investigation, including post-assessment or post-adoption activity.

(b) Except as provided in ~~section sections~~ **1.5 and 1.6** of this chapter **and IC 31-33-18.5**, all records held by:

- (1) the division of family resources;
- (2) a local office;
- (3) the department;
- (4) a local child fatality review team established under IC 16-49-2;
- (5) the statewide child fatality review committee established under IC 16-49-4; or
- (6) the department of child services ombudsman established by IC 4-13-19-3;

regarding the death of a child determined to be a result of abuse, abandonment, or neglect are confidential and may not be disclosed.

SECTION 10. IC 31-33-18-1.5, AS AMENDED BY P.L.77-2023, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) This section applies to records held by:

- (1) a local office;
- (2) the department; or
- (3) the department of child services ombudsman established by IC 4-13-19-3;

regarding a child ~~whose death fatality~~ **or near fatality that** may have been the result of abuse, abandonment, or neglect.

(b) For purposes of subsection (a), a ~~child's death~~ **child fatality** or



near fatality may have been the result of abuse, abandonment, or neglect if:

- (1) an entity described in subsection (a) determines that ~~the child's death~~ **a child fatality** or near fatality is the result of abuse, abandonment, or neglect; or
- (2) a prosecuting attorney files:
 - (A) an indictment or information; or
 - (B) a complaint alleging the commission of a delinquent act; that, if proven, would cause a reasonable person to believe that ~~the child's death~~ **a child fatality** or near fatality may have been the result of abuse, abandonment, or neglect.

Upon the request of any person, or upon its own motion, the court exercising juvenile jurisdiction in the county in which the ~~child's death~~ **child fatality** or near fatality occurred shall determine whether the allegations contained in the indictment, information, or complaint described in subdivision (2), if proven, would cause a reasonable person to believe that the ~~child's death~~ **child fatality** or near fatality may have been the result of abuse, abandonment, or neglect.

(c) If the juvenile court finds that the ~~child's death~~ **child fatality** or near fatality was the result of abuse, abandonment, or neglect, the court shall make written findings and provide a copy of the findings and the indictment, information, or complaint described under subsection (b)(2) to the department.

(d) As used in this section:

- (1) "case" means:
 - (A) any intake report or other documentation such as a referral or other matter received or generated by the department;
 - (B) any investigation or assessment conducted by the department; or
 - (C) ongoing involvement between the department and a child or family that is the result of:
 - (i) a program of informal adjustment; or
 - (ii) a child in need of services action;

for which related records and documents have not been expunged as required by law or by a court at the time the department is notified of a **child** fatality or near fatality;

(2) "contact" means in person communication about a case in which:

- (A) the child who is the victim of a fatality or near fatality is alleged to be a victim; or
- (B) the perpetrator of the **child** fatality or near fatality is alleged to be the perpetrator;



(3) "identifying information" means information that identifies an individual, including an individual's:

(A) name, address, date of birth, occupation, place of employment, and telephone number;

(B) employer identification number, mother's maiden name, Social Security number, or any identification number issued by a governmental entity;

(C) unique biometric data, including the individual's fingerprint, voice print, or retina or iris image;

(D) unique electronic identification number, address, or routing code;

(E) telecommunication identifying information; or

(F) telecommunication access device, including a card, a plate, a code, an account number, a personal identification number, an electronic serial number, a mobile identification number, or another telecommunications service or device or means of account access;

(4) "life threatening" means an injury or condition that is categorized as "serious" or "critical" in patient hospital records; and

(5) "near fatality" means a severe childhood injury or condition that is certified by a physician as being life threatening.

(e) This subsection does not apply to records concerning a child fatality or near fatality that the department is required to publish under IC 31-33-18.5. Unless:

(1) a police investigation or criminal prosecution is ongoing; or

(2) information in a record is otherwise confidential under state or federal law;

a record described in subsection (a) that has been redacted in accordance with this section is not confidential and may be disclosed to any person who requests the record. The person requesting the record may be required to pay the reasonable expenses of copying the record.

(f) When a person requests a record described in subsection (a), the entity having control of the record shall immediately transmit a copy of the record to the court exercising juvenile jurisdiction in the county in which the ~~death~~ **child fatality** or near fatality of the child occurred. However, if the court requests that the entity having control of a record transmit the original record, the entity shall transmit the original record.

(g) Upon receipt of the record described in subsection (a), the court shall, within thirty (30) days, redact the record to exclude:

(1) identifying information described in subsection (d)(3)(B)

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through (d)(3)(F) of a person; and

(2) all identifying information of a child less than eighteen (18) years of age.

(h) The court shall disclose the record redacted in accordance with subsection (g) to any person who requests the record, if the person has paid:

(1) to the entity having control of the record, the reasonable expenses of copying under IC 5-14-3-8; and

(2) to the court, the reasonable expenses of copying the record.

(i) The data and information in a record disclosed under this section must include the following:

(1) A summary of the report of abuse or neglect and a factual description of the contents of the report.

(2) The age and gender of the child.

(3) The cause of the fatality or near fatality, if the cause has been determined.

(4) Whether the department had any contact with the child or the perpetrator before the fatality or near fatality, and, if the department had contact, the following:

(A) The frequency of the contact with the child or the perpetrator before the fatality or near fatality and the date on which the last contact occurred before the fatality or near fatality.

(B) A summary of the status of the child's case at the time of the fatality or near fatality, including:

(i) whether the child's case was closed by the department before the fatality or near fatality; and

(ii) if the child's case was closed as described under item (i), the date of closure and the reasons that the case was closed.

(j) The court's determination under subsection (g) that certain identifying information or other information is not relevant to establishing the facts and circumstances leading to the ~~death~~ fatality or near fatality of a child is not admissible in a criminal proceeding or civil action.

SECTION 11. IC 31-33-18-1.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.6. (a) As used in this section, "state legislator" means:**

(1) a member of the United States Congress representing Indiana; or

(2) a member of the general assembly;

acting in the member's official capacity.

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(b) The department shall disclose information that:

- (1) concerns alleged or actual child abuse or neglect; and**
- (2) is requested by a state legislator;**

to the state legislator not later than twenty (20) business days after receiving the state legislator's request for the information.

(c) If requested by a state legislator under subsection (b), or as necessary to provide information responsive to the request of a state legislator under subsection (b), the department shall disclose to the state legislator:

- (1) unredacted department records regarding the alleged or actual child abuse or neglect, including the safe system review regarding the child abuse or neglect investigation; and**
- (2) information regarding actions taken by other entities, including:**

- (A) child welfare agencies;**
- (B) guardians ad litem;**
- (C) court appointed special advocates; and**
- (D) court officers;**

with regard to the alleged or actual child abuse or neglect; including records or information that predate July 1, 2026.

(d) A state legislator to whom an unredacted record is disclosed under this section may not permit disclosure of the record to a third party except in the interest of a legitimate government purpose in protecting children from child abuse or neglect.

(e) The director or the director's designee may disclose information to the news media to confirm, clarify, correct, or supplement information concerning an alleged or actual occurrence of child abuse or neglect that has been made public by a source other than the department, if the disclosure is limited to factual information regarding the department's investigation of the alleged or actual occurrence of child abuse or neglect.

(f) Not later than five (5) business days, or ten (10) business days for complex cases, after receiving a request from the news media regarding the death of a child whose death is suspected to be the result of child abuse or neglect, the department shall release to the news media the following information, to the extent the information is known:

- (1) The child's age.**
- (2) The child's gender.**
- (3) A summary of:**
 - (A) the actions taken by the department concerning the child, including any investigation of alleged child abuse**



and neglect concerning the child that was conducted by the department before the child's death or that was ongoing at the time of the child's death; and

(B) any petition that was filed alleging that the child was a child in need of services, including the disposition of the petition.

(g) A record released under this section that has been redacted to exclude the information described in section 1.5(g) of this chapter is not confidential.

(h) This section shall be construed as broadly as possible consistent with other Indiana and federal law.

SECTION 12. IC 31-33-18-2, AS AMENDED BY P.L.54-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. Except as otherwise prohibited by federal law, the reports and other material described in section 1(a) of this chapter and the unredacted reports and other material described in section 1(b) of this chapter shall be made available only to the following:

- (1) Persons authorized by this article.
- (2) A legally mandated public or private child protective agency investigating a report of child abuse or neglect or treating a child or family that is the subject of a report or record.
- (3) Any of the following who are investigating a report of a child who may be a victim of child abuse or neglect:
 - (A) A police officer or other law enforcement agency.
 - (B) A prosecuting attorney.
 - (C) A coroner, in the case of the death of a child.
- (4) A physician who has before the physician a child whom the physician reasonably suspects may be a victim of child abuse or neglect.
- (5) An individual legally authorized to place a child in protective custody if:
 - (A) the individual has before the individual a child whom the individual reasonably suspects may be a victim of abuse or neglect; and
 - (B) the individual requires the information in the report or record to determine whether to place the child in protective custody.
- (6) **An agency A person** having the legal responsibility or authorization to care for, treat, or supervise a child who is the subject of a report or record, **or a including a service provider that requires access to the unredacted reports or material to assess:**



(A) the suitability of the provider or the provider's services for the child; or

(B) the suitability of the child for the provider or for the provider's services;

before providing care, treatment, or supervision for the child.

(7) A parent, guardian, custodian, or other person who is responsible for the child's welfare.

~~(7)~~ (8) An individual named in the report or record who is alleged to be abused or neglected or, if the individual named in the report is a child or is otherwise incompetent, the individual's guardian ad litem or the individual's court appointed special advocate, or both.

~~(8)~~ (9) Each parent, guardian, custodian, or other person responsible for the welfare of a child named in a report or record and an attorney of the person described under this subdivision, with protection for the identity of reporters and other appropriate individuals.

~~(9)~~ (10) A court, for redaction of the record in accordance with section 1.5 of this chapter, or upon the court's finding that access to the records may be necessary for determination of an issue before the court. However, except for disclosure of a redacted record in accordance with section 1.5 of this chapter, access is limited to in camera inspection unless the court determines that public disclosure of the information contained in the records is necessary for the resolution of an issue then pending before the court.

~~(10)~~ (11) A grand jury upon the grand jury's determination that access to the records is necessary in the conduct of the grand jury's official business.

~~(11)~~ (12) An appropriate state or local official responsible for child protection services or legislation, **including a member of the general assembly**, carrying out the official's official functions.

~~(12)~~ (13) The community child protection team appointed under IC 31-33-3 (or IC 31-6-11-14 before its repeal), upon request, to enable the team to carry out the team's purpose under IC 31-33-3.

~~(13)~~ (14) A person about whom a report has been made, with protection for the identity of:

(A) any person reporting known or suspected child abuse or neglect; and

(B) any other person if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of the person.



~~(14)~~ **(15)** An employee of the department, a caseworker, or a juvenile probation officer conducting a criminal history check under IC 31-26-5, IC 31-34, or IC 31-37 to determine the appropriateness of an out-of-home placement for a:

- (A) child at imminent risk of placement;
- (B) child in need of services; or
- (C) delinquent child.

The results of a criminal history check conducted under this subdivision must be disclosed to a court determining the placement of a child described in clauses (A) through (C).

~~(15)~~ **(16)** A local child fatality review team established under IC 16-49-2.

~~(16)~~ **(17)** The statewide child fatality review committee established by IC 16-49-4.

~~(17)~~ **(18)** The department.

~~(18)~~ **(19)** The division of family resources, if the investigation report:

- (A) is classified as substantiated; and
- (B) concerns:
 - (i) an applicant for a license to operate;
 - (ii) a person licensed to operate;
 - (iii) an employee of; or
 - (iv) a volunteer providing services at;

a child care center licensed under IC 12-17.2-4 or a child care home licensed under IC 12-17.2-5.

~~(19)~~ **(20)** A citizen review panel established under IC 31-25-2-20.4.

~~(20)~~ **(21)** The department of child services ombudsman established by IC 4-13-19-3.

~~(21)~~ **(22)** The secretary of education with protection for the identity of:

- (A) any person reporting known or suspected child abuse or neglect; and
- (B) any other person if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of the person.

~~(22)~~ **(23)** The state child fatality review coordinator employed by the Indiana department of health under IC 16-49-5-1.

~~(23)~~ **(24)** A person who operates a child caring institution, group home, or secure private facility if all the following apply:

- (A) The child caring institution, group home, or secure private facility is licensed under IC 31-27.



- (B) The report or other materials concern:
- (i) an employee of;
 - (ii) a volunteer providing services at; or
 - (iii) a child placed at;
- the child caring institution, group home, or secure private facility.
- (C) The allegation in the report occurred at the child caring institution, group home, or secure private facility.
- ~~(24)~~ **(25)** A person who operates a child placing agency if all the following apply:
- (A) The child placing agency is licensed under IC 31-27.
- (B) The report or other materials concern:
- (i) a child placed in a foster home licensed by the child placing agency;
 - (ii) a person licensed by the child placing agency to operate a foster family home;
 - (iii) an employee of the child placing agency or a foster family home licensed by the child placing agency; or
 - (iv) a volunteer providing services at the child placing agency or a foster family home licensed by the child placing agency.
- (C) The allegations in the report occurred in the foster family home or in the course of employment or volunteering at the child placing agency or foster family home.
- ~~(25)~~ **(26)** The National Center for Missing and Exploited Children.
- ~~(26)~~ **(27)** A local domestic violence fatality review team established under IC 12-18-8, as determined by the department to be relevant to the death or near fatality that the local domestic violence fatality review team is reviewing.
- ~~(27)~~ **(28)** The statewide domestic violence fatality review committee established under IC 12-18-9-3, as determined by the department to be relevant to the death or near fatality that the statewide domestic violence fatality review committee is reviewing.
- ~~(28)~~ **(29)** The statewide maternal mortality review committee established under IC 16-50-1-3, as determined by the department to be relevant to the case of maternal morbidity or maternal mortality that the statewide maternal mortality review committee is reviewing.
- ~~(29)~~ **(30)** A local fetal-infant mortality review team established under IC 16-49-6, as determined by the department to be relevant



to the case of fetal or infant fatality that the local fetal-infant mortality review team is reviewing.

~~(30)~~ **(31)** A suicide and overdose fatality review team established under IC 16-49.5-2, as determined by the department to be relevant to the case of a suicide or overdose fatality that the suicide and overdose fatality review team is reviewing.

~~(31)~~ **(32)** The office of administrative law proceedings for a matter that is the subject of an administrative proceeding before the office of administrative law proceedings.

~~(32)~~ **(33)** A tribal representative, agency, or organization authorized by the Indian child's tribe to care for, diagnose, treat, review, evaluate, or monitor active efforts regarding an Indian child, and the Indian child's parent, guardian, or custodian.

~~(33)~~ **(34)** The United States Department of State and foreign governments to comply with federal law and treaties.

~~(34)~~ **(35)** A child advocacy center when the child advocacy center has before it an investigation of child abuse or neglect in which it is facilitating a forensic interview or facilitating a case discussion or case review.

(36) The office of the attorney general or a prosecutor for purposes of a criminal investigation by the office of the attorney general or prosecutor.

SECTION 13. IC 31-33-18-5, AS ADDED BY P.L.48-2012, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) **Except as provided in IC 31-33-18.5**, an audio recording of a telephone call to the child abuse hotline is confidential and may be released only upon court order.

(b) An audio recording of a report of child abuse or neglect that is the subject of a complaint made to a prosecuting attorney under IC 31-33-22-3 shall be released without a court order to the prosecuting attorney upon written request of the prosecuting attorney.

SECTION 14. IC 31-33-18.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 18.5. Child Fatalities Public Transparency

Sec. 1. This chapter applies to the following:

(1) Reports made under this article (or IC 31-6-11 before its repeal).

(2) Any other information obtained or written reports taken concerning the reports in the possession of:

(A) the division of family resources;

(B) the local office;



- (C) the department; or
- (D) the department of child services ombudsman established by IC 4-13-19-3.

Sec. 2. (a) Notwithstanding IC 31-33-18, the department shall promptly provide information to the public regarding a case of child abuse or neglect that has resulted in a child fatality or near fatality.

(b) Subject to subsection (d), and to the extent permitted by federal law, the department shall provide preliminary information as follows:

(1) In the case of a child fatality, the department's disclosure must include the following:

- (A) The deceased child's name, age, and gender.
- (B) The county or general location of the residence for the child who died.
- (C) The fact that a child suffered a fatality as the result of abuse or neglect.
- (D) Following an arrest for the child fatality, the public arrest information and court records for the alleged perpetrator, unless the disclosure would violate the privacy of a victim.
- (E) Whether there have been reports or any current or past cases of abuse or neglect involving the child or the alleged perpetrator, including any reports or cases of abuse or neglect involving the child or the alleged perpetrator that were screened out.
- (F) Any action taken by the department in response to the fatality, including any:
 - (i) change to policy or practice; or
 - (ii) recommendation for a change in policy, practice, or law.
- (G) A detailed synopsis of earlier reports or cases of child abuse or neglect involving the child or the alleged perpetrator and of the actions taken or determinations made by the department in response to the earlier reports or cases.
- (H) The name of the judge who presided over any detention hearing concerning the child under IC 31-34-5 that occurred before the child fatality if the result of the detention hearing was an order to release the child to the child's parent, guardian, or custodian.
- (I) Whether the child was the subject of one (1) or more



child in need of services proceedings at the time the child fatality occurred or before the child fatality occurred.

(2) In the case of a child's near fatality, the department's disclosure must include the following:

(A) The child's age and gender.

(B) The county or general location of the residence for the child who suffered a near fatality.

(C) The fact that a child suffered a near fatality as the result of abuse or neglect.

(D) Following an arrest for the near fatality, the public arrest information and court records for the alleged perpetrator, unless the disclosure would violate the privacy of a victim.

(E) Whether there have been reports or any current or past cases of abuse or neglect involving the child or the alleged perpetrator, including any reports or cases of abuse or neglect involving the child or the alleged perpetrator that were screened out.

(F) Any action taken by the department in response to the near fatality including any:

(i) change to policy or practice; or

(ii) recommendation for a change in policy, practice, or law.

(G) A detailed synopsis of earlier reports or cases of abuse or neglect involving the alleged perpetrator and of the actions taken or determinations made by the department in response to the earlier reports or cases. However, a synopsis under this clause must be redacted in a manner that protects the privacy of the child.

(H) The name of the judge who presided over any detention hearing concerning the child under IC 31-34-5 that occurred before the near fatality if the result of the detention hearing was an order to release the child to the child's parent, guardian, or custodian.

(c) Subject to subsection (d), if additional information is requested by a person under this chapter:

(1) before releasing additional information, the department shall notify the prosecuting attorney;

(2) the prosecuting attorney shall promptly notify the department if the prosecuting attorney believes the release would cause a specific, material harm to a criminal investigation or prosecution; and



(3) after consulting with the prosecuting attorney, the department shall produce to the requestor as much additional information as possible about a case of child abuse or neglect under this chapter.

(d) The department must take precautions to protect the identity of:

- (1) a person who reports child abuse or neglect; and
- (2) any potential child abuse or neglect victim of an alleged perpetrator.

Sec. 3. Not later than ninety (90) days after the date on which the department's report for a case involving a child fatality or near fatality is completed, the department shall provide to the public a summary report that includes the following:

- (1) Any actions taken by the department in response to the case, including changes in policies or practices that have been made to address any issues raised in the review of the case.
- (2) Information prescribed in section 4 of this chapter.

Sec. 4. If the summary report involves a child who was residing in the child's home at the time of the child's fatality or near fatality, the summary report must contain the following:

- (1) Whether the department was providing services to the child, a member of the child's family, or the alleged perpetrator at the time of the child fatality or near fatality. If services were provided, the date on which the last contact occurred between the entity providing services and the person receiving the services before the child fatality or near fatality.
- (2) Whether the child, a member of the child's family, or the alleged perpetrator was the subject of a department report at the time of the child fatality or near fatality.
- (3) Whether there was an open child in need of services case for the child or a member of the child's family at the time of the child fatality or near fatality.

(4) All:

(A) involvement of:

- (i) the child's parent, guardian, or custodian; and
- (ii) the alleged perpetrator;

in a situation for which a department report, whether substantiated or unsubstantiated, was made within the preceding five (5) years of the child fatality or near fatality; and

(B) services provided to the child or the child's family within the preceding five (5) years of the child fatality or



near fatality.

(5) Any investigation by the department for a report concerning the child, a member of the child's family, or the alleged perpetrator since the child fatality or near fatality.

(6) Any services provided to:

(A) the child since the child's near fatality; or

(B) the child's family since the child fatality or near fatality.

SECTION 15. IC 31-34-7-4, AS AMENDED BY P.L.46-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A person who is accused of committing child abuse or neglect is entitled under ~~IC 31-33-18-2(13)~~ **IC 31-33-18-2(14)** to access to a report relevant to an alleged accusation.

SECTION 16. IC 31-34-20-1.6, AS ADDED BY P.L.179-2025, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.6. (a) This section applies to **a parent, guardian, or custodian of a child:**

(1) who ~~(A)~~ is the subject of a **proceeding regarding a petition alleging that the child is a child in need of services, petition that is filed after the child is removed from the care or custody of the child's parent, guardian, or custodian under IC 31-34-2-3;** regardless of whether:

(A) the child is removed from the care or custody of the parent, guardian, or custodian; or

(B) the child, if removed, is returned to the care or custody of the parent, guardian, or custodian;

at any time before **or after** the entry of ~~the~~ **a dispositional decree or in the proceeding; and**

~~(B) is removed from the care or custody of the child's parent, guardian, or custodian under the child's dispositional decree under section 1(a)(3) of this chapter; and~~

(2) whose dispositional decree includes an order under section ~~1(a)(6)~~ of this chapter requiring a parent, guardian, or custodian of the child who has been:

(A) ordered by the court in the proceeding; or

(B) directed by the department;

to complete reunification services.

(b) Except as provided in subsections (c) and (d), **a the court in a proceeding regarding a petition alleging that a child is a child in need of services** may not provide for a child's parent, guardian, or custodian to receive reunification services for more than:

(1) if the child is removed from the parent, guardian, or custodian



in need of services petition is filed after June 30, 2025, and before July 1, 2026, fifteen (15) months; or

(2) if the child is ~~removed from the parent, guardian, or custodian~~ **in need of services petition is filed** after June 30, 2026, twelve (12) months;

after the date of the child's removal under ~~IC 31-34-2-3~~ or under the child's dispositional decree, whichever is earlier: **on which the petition is filed.**

(c) A court may extend the provision of reunification services to a child's parent, guardian, or custodian for:

(1) a period of not more than ninety (90) days if the court finds after an evidentiary hearing that:

(A) the parent, guardian, or custodian has substantially complied with the child's dispositional decree; and

(B) the extension is in the child's best interests; and

(2) an additional period of not more than ninety (90) days following an extension under subdivision (1) if the court:

(A) finds after an evidentiary hearing, by clear and convincing evidence, that:

(i) the parent, guardian, or custodian has substantially complied with the child's dispositional decree; and

(ii) the extension is in the child's best interests; and

(B) includes in the order for the extension:

(i) the facts upon which the court based the court's findings under clause (A); and

(ii) the time period within which it is likely that reunification of the child with the parent will occur.

(d) A court may extend the provision of reunification services to a child's parent, guardian, or custodian if the court finds after an evidentiary hearing that the child's parent, guardian, or custodian, by no fault of the parent, guardian, or custodian, was not afforded an adequate opportunity to substantially participate in the reunification services.

(e) The following are not a basis for an extension under subsection (c) or (d):

(1) Delay or failure by the parent, guardian, or custodian to establish paternity or seek custody of the child.

(2) Failure of the parent, guardian, or custodian to substantially participate in the reunification services due to the conduct of the parent, guardian, or custodian.

(f) In determining whether to extend the provision of reunification services to a child's parent under subsection (c) or (d), a court shall take



into consideration the status of any minor siblings of the child.

SECTION 17. IC 31-34-21-5, AS AMENDED BY P.L.179-2025, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Subject to subsection (c), the court shall determine:

- (1) whether the child's case plan, services, and placement meet the special needs and best interests of the child;
- (2) whether the department has made reasonable efforts to provide family services, unless a finding has been made under section 5.6 of this chapter that reasonable efforts for family preservation or reunification are not required; ~~and~~
- (3) **if the child was removed from the care or custody of the child's parent, guardian, or custodian**, a projected date for the child's return home; **and**
- (4) **a projected date for** the child's adoption placement, the child's emancipation, or the appointment of a legal guardian for the child under section 7.5(c)(1)(D) of this chapter.

(b) The determination of the court under subsection (a) must be based on findings written after consideration of the following:

- (1) Whether the department, the child, or the child's parent, guardian, or custodian has complied with the child's case plan.
- (2) Written documentation containing descriptions of:
 - (A) the family services that have been offered or provided to the child or the child's parent, guardian, or custodian;
 - (B) the dates during which the family services were offered or provided; and
 - (C) the outcome arising from offering or providing the family services.
- (3) The extent of the efforts made by the department to offer and provide family services.
- (4) The extent to which the parent, guardian, or custodian has enhanced the ability to fulfill parental obligations.
- (5) The extent to which the parent, guardian, or custodian has visited the child, including the reasons for infrequent visitation.
- (6) The extent to which the parent, guardian, or custodian has cooperated with the department.
- (7) The child's recovery from any injuries suffered before removal.
- (8) Whether any additional services are required for the child or the child's parent, guardian, or custodian and, if so, the nature of those services.
- (9) The extent to which the child has been rehabilitated.



(10) If the child is placed out-of-home, whether the child is in the least restrictive, most family-like setting, and whether the child is placed close to the home of the child's parent, guardian, or custodian.

(11) The extent to which the causes for the child's out-of-home placement or supervision have been alleviated.

(12) Whether current placement or supervision by the department should be continued.

(13) The extent to which the child's parent, guardian, or custodian has participated or has been given the opportunity to participate in case planning, periodic case reviews, dispositional reviews, placement of the child, and visitation.

(14) Whether the department has made reasonable efforts to reunify or preserve a child's family unless reasonable efforts are not required under section 5.6 of this chapter.

(15) Subject to subsection (c), whether it is an appropriate time to prepare or implement a permanency plan for the child under section 7.5 of this chapter.

(16) If:

(A) the child has been in an out-of-home placement at any time during the child in need of services proceeding; and

(B) the child's dispositional decree includes an order under IC 31-34-20-1(a)(6) requiring the child's parent, guardian, or custodian to receive reunification services;

the amount of time remaining for the parent, guardian, or custodian to complete the reunification services under IC 31-34-20-1.6.

(c) The permanency plan for a child who has, at the time of a periodic case review or permanency hearing, been removed from the child's parent for at least twelve (12) months of the most recent twenty-two (22) months, must include at least one (1) intended permanent or long term arrangement for care and custody of the child under section 7.5(c) of this chapter other than reunification of the child with the child's parent, guardian, or custodian.

SECTION 18. IC 31-39-2-6, AS AMENDED BY P.L.128-2012, SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. The records of the juvenile court are available without a court order to:

(1) the attorney for the department of child services; ~~or~~

(2) any authorized staff member of:

(A) the local office;

(B) the department of child services;



- (C) the department of correction; or
- (D) the department of child services ombudsman established by IC 4-13-19-3; or
- (3) a state legislator (as defined in IC 31-33-18-1.6) as provided in IC 31-33-18-1.6.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

HEA 1257 — Concur

