



Reprinted
January 21, 2026

SENATE BILL No. 171

DIGEST OF SB 171 (Updated January 20, 2026 3:53 pm - DI 148)

Citations Affected: IC 31-19; IC 31-34; IC 31-35.

Synopsis: Family and children matters. Provides that a court may grant postadoption contact privileges if the child is at least 12 months of age. (Current law requires the child to be at least two years of age.) Requires the department of child services (department) to consider certain factors when evaluating an out-of-home placement for a child in a child in need of services (CHINS) case. Provides that a placement with whom a child has resided with for at least 12 months, consecutively or nonconsecutively, is presumed to be an individual who has a significant relationship with the child. Requires a court to write a formal order in certain circumstances and include specific information in the order. Requires any party seeking a change in placement for certain children to file a motion with the court, provide notice to all persons affected, and inform all persons affected of the right to file a written objection within 15 days. (Current law only allows the department to file the motion for a change of placement.)

(Continued next page)

Effective: July 1, 2026.

**Johnson T, Walker G, Brown L,
Ford J.D., Donato,
Randolph Lonnie M**

January 5, 2026, read first time and referred to Committee on Family and Children Services.

January 12, 2026, amended, reported favorably — Do Pass.

January 20, 2026, read second time, amended, ordered engrossed.

SB 171—LS 6404/DI 148



Digest Continued

Allows a court to rule on a party's motion for the change in placement without delay if exigent circumstances are alleged in the party's motion. Provides that, if a motion for temporary custody of a child has been filed by a petitioner for adoption, a court shall not change the child's placement until the motion for temporary custody has been ruled on. Allows for a petitioner for adoption to file a petition for temporary custody of a child sought to be adopted, and allows a court to grant the petition for temporary custody if the court makes certain findings. Provides that if the court declines to enter an ex-parte order granting the petitioner temporary custody, the court shall set the matter for a hearing not more than 15 days after the petitioner files the petition for temporary custody.

SB 171—LS 6404/DI 148



Reprinted
January 21, 2026

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.

SENATE BILL No. 171

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 31-19-2-13, AS AMENDED BY P.L.81-2014,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 13. (a) ~~Except for a child who is under the care~~
4 ~~and supervision of the department~~; A petitioner for adoption may file
5 a separate, ex parte, verified petition requesting temporary custody of
6 a child sought to be adopted at the time of or any time after the filing
7 of a petition for adoption. The petition for temporary custody must be
8 signed by each petitioner for adoption.
9 (b) **A court may grant a petition for temporary custody filed**
10 **under subsection (a) for a child who is under the care and**
11 **supervision of the department if the court finds that:**
12 (1) **the petition for adoption is in proper form;**
13 (2) **the department:**
14 (A) **is a party to the adoption; or**
15 (B) **has been served with notice of the petition for adoption**
16 **and the petition for temporary custody;**
17 (3) **the petitioner is the current placement for the child at the**

SB 171—LS 6404/DI 148



time the petition for temporary custody is filed;

(4) the petitioner has been the child's placement for at least twelve (12) months, consecutively or nonconsecutively; and

(5) the act of granting the petition filed under subsection (a) is in the best interests of the child.

(b) (c) For a child who is not under the care and supervision of the department, a court may grant a petition for temporary custody filed under subsection (a) if the court finds that:

(1) the petition for adoption is in proper form; and

(2) **the act of** placing the child with the petitioner or petitioners for adoption pending the hearing on the petition for adoption is in the best interests of the child; **and**

(3) the petitioner for adoption is legally and financially responsible for the child until otherwise ordered by the court.

(c) If temporary custody is granted under this section, the petitioner or petitioners for adoption are legally and financially responsible for the child until otherwise ordered by the court.

(d) To the extent that a temporary custody order issued under this section conflicts with a custody order issued by any other court except a court having appellate jurisdiction over the child, a temporary order

court has

er this section controls.

e) A:

) party to the adopt
) person who had:

(A) custody of; or

- (A) custody of, or
- (B) parenting time or visitation with;

the child before a temporary custody order was issued under this section;

may file a petition to suspend, modify, or revoke the temporary custody order granted under this section.

order granted under this section.

(f) Upon receipt of a petition described in subsection (e), the court shall set the matter for hearing.

(g) The court may suspend, modify, or revoke the temporary custody order if the court determines suspension, modification, or revocation of the temporary custody order is in the best interests of the child.

(h) If the court declines to enter an ex parte order granting the petitioner temporary custody, the court shall set the matter for a hearing not more than fifteen (15) days after the petitioner files the petition for temporary custody under subsection (c).

petition for temporary custody under subsection (a).
SECTION 2. 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



1 privileges if:

2 (1) the court determines that the best interests of the child would

3 be served by granting postadoption contact privileges;

4 (2) the child is at least ~~two (2)~~ **years twelve (12) months** of age

5 and the court finds that there is a significant emotional attachment

6 between the child and the birth parent;

7 (3) each adoptive parent consents to the granting of postadoption

8 contact privileges;

9 (4) the adoptive parents and the birth parents:

10 (A) execute a postadoption contact agreement; and

11 (B) file the agreement with the court;

12 (5) the licensed child placing agency sponsoring the adoption and

13 the child's court appointed special advocate or guardian ad litem

14 appointed under IC 31-32-3 recommends to the court the

15 postadoption contact agreement, or if there is no licensed child

16 placing agency sponsoring the adoption, the local office or other

17 agency that prepared an adoption report under IC 31-19-8-5 is

18 informed of the contents of the postadoption contact agreement

19 and comments on the agreement in the agency's report to the

20 court;

21 (6) consent to postadoption contact is obtained from the child if

22 the child is at least twelve (12) years of age; and

23 (7) the postadoption contact agreement is approved by the court.

24 SECTION 3. IC 31-19-16-9, AS AMENDED BY P.L.113-2017,

25 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

26 JULY 1, 2026]: Sec. 9. Postadoption contact privileges are permissible

27 without court approval in an adoption of a child who is less than ~~two~~

28 ~~(2)~~ **years twelve (12) months** of age upon the agreement of the

29 adoptive parents and a birth parent. However, postadoption contact

30 privileges under this section may not include visitation. A postadoption

31 contact agreement under this section:

32 (1) is not enforceable;

33 (2) may include contact through photographs, written and verbal

34 updates, and other forms of communication;

35 (3) does not have to be in writing; and

36 (4) does not affect the:

37 (A) validity of a:

38 (i) consent to an adoption; or

39 (ii) waiver of notice; or

40 (B) finality of the adoption.

41 SECTION 4. IC 31-34-4-2, AS AMENDED BY P.L.186-2025,

42 SECTION 159, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If a child alleged to be a child
2 in need of services is taken into custody under an order of the court
3 under this chapter and the court orders out-of-home placement, the
4 department is responsible for that placement and care and must
5 consider placing the child with a:
6 (1) suitable and willing relative; or
7 (2) de facto custodian;
8 before considering any other out-of-home placement.
9 (b) The department shall consider placing a child described in
10 subsection (a) with a relative related by blood, marriage, or adoption
11 before considering any other placement of the child.
12 (c) Before the department places a child in need of services with a
13 relative or a de facto custodian, the department shall complete an
14 evaluation based on a home visit of the relative's home.
15 (d) Except as provided in subsection (f), before placing a child in
16 need of services in an out-of-home placement, the department shall
17 conduct a criminal history check of each person who is currently
18 residing in the location designated as the out-of-home placement.
19 (e) Except as provided in subsection (g), the department may not
20 make an out-of-home placement if a person described in subsection (d)
21 has:
22 (1) committed an act resulting in a substantiated report of child
23 abuse or neglect; or
24 (2) been convicted of a nonwaivable offense, as defined in
25 IC 31-9-2-84.8 or had a juvenile adjudication for an act that
26 would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if
27 committed by an adult.
28 (f) The department is not required to conduct a criminal history
29 check under subsection (d) if the department makes an out-of-home
30 placement to an entity or a facility that is not a residence (as defined in
31 IC 3-5-2.1-90) or that is licensed by the state.
32 (g) A court may order or the department may approve an
33 out-of-home placement if:
34 (1) a person described in subsection (d) has:
35 (A) committed an act resulting in a substantiated report of
36 child abuse or neglect;
37 (B) been convicted of:
38 (i) battery (IC 35-42-2-1);
39 (ii) criminal recklessness (IC 35-42-2-2) as a felony;
40 (iii) criminal confinement (IC 35-42-3-3) as a felony;
41 (iv) arson (IC 35-43-1-1) as a felony;
42 (v) nonsupport of a dependent child (IC 35-46-1-5);



1 (vi) operating a motorboat while intoxicated (IC 35-46-9-6)
2 as a felony;
3 (vii) a felony involving a weapon under IC 35-47;
4 (viii) a felony relating to controlled substances under
5 IC 35-48-4; or
6 (ix) a felony under IC 9-30-5;
7 if the conviction did not occur within the past five (5) years; or
8 (C) had a juvenile adjudication for a nonwaivable offense, as
9 defined in IC 31-9-2-84.8 that, if committed by an adult,
10 would be a felony; and
11 (2) the person's commission of the offense, delinquent act, or act
12 of abuse or neglect described in subdivision (1) is not relevant to
13 the person's present ability to care for a child, and the placement
14 is in the best interest of the child.

15 However, a court or the department shall not make an out-of-home
16 placement if the person has been convicted of a nonwaivable offense,
17 as defined in IC 31-9-2-84.8 that is not specifically excluded under
18 subdivision (1)(B).

19 (h) In considering the placement under subsection (g), the court or
20 the department shall consider the following:

21 (1) The length of time since the person committed the offense,
22 delinquent act, or abuse or neglect.
23 (2) The severity of the offense, delinquent act, or abuse or neglect.
24 (3) Evidence of the person's rehabilitation, including the person's
25 cooperation with a treatment plan, if applicable.

26 (i) In considering any out-of-home placement, the department
27 shall consider the following to determine whether a particular
28 out-of-home placement is in the child's best interest:

29 (1) The caregiver is interested in providing permanence for
30 the child if reunification efforts ultimately fail.
31 (2) The expressed wishes of the child's birth parent and the
32 child, if applicable, unless the wishes are contrary to law,
33 child safety, or stability.
34 (3) The relationship of the caregiver with the child and the
35 child's family.
36 (4) The proximity of the placement home to the birth parents'
37 home and the child's current school or school district.
38 (5) The strengths and parenting style of the caregiver in
39 relation to the child's behavior and needs.
40 (6) The caregiver's willingness to interact with the birth
41 family, unless the caregiver has safety concerns.
42 (7) The caregiver's ability and willingness to accept placement



of the child and any of the child's siblings.

(8) If any sibling will be placed separately, the caregiver's ability and willingness to provide or assist in maintaining frequent visitation or other ongoing contact between the child and the child's siblings.

(9) The child's fit with the family with regard to age, gender, and sibling relationships.

(10) If the child has chronic behavioral health needs:

(A) whether the child's behavior will place other children in the home at risk; and

(B) the caregiver's ability to provide the necessary level of supervision to prevent harm to the child or others by the child.

(11) Whether placement in the home would comply with the placement preferences prescribed by federal law.

SECTION 5. IC 31-34-6-2, AS AMENDED BY P.L.123-2014, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A juvenile court or the department shall consider placing a child alleged to be a child in need of services with a suitable and willing relative or de facto custodian of the child before considering any other placement for the child.

(b) A juvenile court or the department shall consider placing a child described in subsection (a) with a relative related by blood, marriage, or adoption before considering any other placement of the child.

(c) Before a child is placed with a relative or de facto custodian, a home evaluation and background checks described in IC 31-34-4-2 are required.

(d) A placement with whom a child has resided for at least twelve (12) months, consecutively or nonconsecutively, is presumed to be an individual who has a significant relationship with the child.

SECTION 6. IC 31-34-18-2, AS AMENDED BY P.L.210-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) In addition to providing the court with a recommendation for the care, treatment, or rehabilitation of the child, the person preparing the report shall consider the necessity, nature, and extent of the participation by a parent, guardian, or custodian in a program of care, treatment, or rehabilitation for the child.

(b) If the department or caseworker believes that an out-of-home placement would be appropriate for a child in need of services, the department or caseworker shall:

(1) exercise due diligence to identify all adult relatives of the



child and adult siblings; and

(2) consider whether the child should be placed with the child's suitable and willing blood or adoptive relative caretaker, including a grandparent, an aunt, an uncle, or an adult sibling, before considering other out-of-home placements for the child.

(c) In considering any out-of-home placement, the department shall consider the following to determine whether a particular out-of-home placement is in the child's best interest:

(1) The caregiver is interested in providing permanence for the child if reunification efforts ultimately fail.

(2) The expressed wishes of the child's birth parent and the child, if applicable, unless the wishes are contrary to law, child safety, or stability.

(3) The relationship of the caregiver with the child and the child's family.

(4) The proximity of the placement home to the birth parents' home and the child's current school or school district

(5) The strengths and parenting style of the caregiver in relation to the child's behavior and needs.

(6) The caregiver's willingness to interact with the birth family, unless the caregiver has safety concerns.

(7) The caregiver's ability and willingness to accept placement of the child in the facility.

(8) If any sibling will be placed separately, the caregiver's

ability and willingness to provide or assist in maintaining frequent visitation or other ongoing contact between the child and the child's siblings.

(9) The child's fit with the family with regard to age, gender, and sibling relationships.

(10) If the child has chronic behavioral health needs:

(A) whether the child's behavior will place other children in the home at risk; and

(B) the caregiver's ability to provide the necessary level of supervision to prevent harm to the child or others by the child.

(11) Whether placement in the home would comply with the placement preferences prescribed by federal law.

SECTION 7. IC 31-34-19-6, AS AMENDED BY P.L.65-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) If consistent with the safety of the community and the best interest of the child, the juvenile court shall enter a dispositional decree that:



1 (1) is:

2 (A) in the least restrictive (most family like) and most

3 appropriate setting available; and

4 (B) close to the parents' home, consistent with the best interest

5 and special needs of the child;

6 (2) least interferes with family autonomy;

7 (3) is least disruptive of family life;

8 (4) imposes the least restraint on the freedom of the child and the

9 child's parent, guardian, or custodian;

10 (5) provides a reasonable opportunity for participation by the

11 child's parent, guardian, or custodian; and

12 (6) provides a reasonable opportunity for the child's parent who:

13 (A) is incarcerated; and

14 (B) has maintained a meaningful role in the child's life;

15 to maintain a relationship with the child.

16 (b) In determining whether reunification of a child with a parent,

17 guardian, or custodian from whom the child has been removed is in the

18 child's best interest, a court shall do the following:

19 (1) The court shall determine whether reunifying the child with

20 the parent, guardian, or custodian will result in separation of the

21 child from a sibling of the child.

22 (2) If the court determines under subdivision (1) that reunifying

23 the child with the parent, guardian, or custodian will result in

24 separation of the child from a sibling of the child, the court shall

25 consider whether separating the child from the child's sibling is in

26 the child's best interest.

27 (c) **If a dispositional decree is entered under this section, the**

28 **court shall write a formal order with the court's findings and**

29 **conclusions, including any specific factors used to determine the**

30 **child's best interest.**

31 SECTION 8. IC 31-34-19-10, AS AMENDED BY P.L.66-2015,

32 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

33 JULY 1, 2026]: Sec. 10. (a) The juvenile court shall accompany the

34 court's dispositional decree with written findings and conclusions upon

35 the record concerning the following:

36 (1) The needs of the child for care, treatment, rehabilitation, or

37 placement, **including any specific factors used to determine the**

38 **child's best interest.**

39 (2) The need for participation by the parent, guardian, or

40 custodian in the plan of care for the child.

41 (3) Efforts made, if the child is a child in need of services, to:

42 (A) prevent the child's removal from; or



4 (4) Family services that were offered and provided to:

5 (A) a child in need of services; or

6 (B) the child's parent, guardian, or custodian;

7 in accordance with federal law.

8 (5) The court's reasons for the disposition.

9 (6) Whether the child is a dual status child under IC 31-41.

10 (b) The juvenile court may incorporate a finding or conclusion from
11 a predispositional report as a written finding or conclusion upon the
12 record in the court's dispositional decree.

13 SECTION 9. IC 31-34-23-6, AS AMENDED BY P.L.105-2022,
14 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2026]: Sec. 6. (a) Except as provided in section 3 of this
16 chapter, before changing a child's out-of-home placement, the
17 department **or any other party seeking a change in placement** shall
18 file a motion requesting a change in placement if the child:

(1) has been in the same out-of-home placement for at least one year; twelve (12) months, consecutively or nonconsecutively; and

22 (2) is in:

23 (A) a foster family home; or

24 (B) the care of a relative.

25 (b) The person with whom the child is placed may:

26 (1) indicate in writing that the person:

27 (A) does not intend to contest the change of placement under
28 subsection (a); and
29 (B) waives the right to request a hearing under subsection (f);

30 and

31 (2) provide the writing to:

32 (A) the depar

33 (B) the court.

34 (c) If ~~the department~~ any party files the motion described in

35 subsection (a), the ~~department~~ party shall give notice to all persons

36 affected. The ~~department's party's~~ notice must state that the person

37 affected may file a written objection not later than ~~ten (10)~~ fifteen (15)

38 days after service of the ~~department's~~ notice.

39 (d) If a writing described in subsection (b)(1) is provided to the
40 department before the department files the motion described in
41 subsection (a), the department may file the writing with the motion
42 requesting a change in placement.



13 (g) (h) The department party must show that the change in
14 out-of-home placement is in the best interests of the child.

15 SECTION 10. IC 31-35-2-8, AS AMENDED BY P.L.128-2012,
16 SECTION 173, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as provided in section
18 4.5(d) of this chapter, if the court finds that the allegations in a petition
19 described in section 4 of this chapter are true, the court shall terminate
20 the parent-child relationship.

21 (b) If the court does not find that the allegations in the petition are
22 true, the court shall dismiss the petition.

23 (c) The court shall enter write a formal opinion with:

24 (1) findings of fact that support the entry of the conclusions
25 required by subsections (a) and (b); **and**

26 **(2) any specific factors used to determine the child's best**
27 **interest.**



COMMITTEE REPORT

Mr. President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 171, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 8, delete lines 24 through 29.

and when so amended that said bill do pass.

(Reference is to SB 171 as introduced.)

WALKER G, Chairperson

Committee Vote: Yeas 8, Nays 0.

SENATE MOTION

Mr. President: I move that Senate Bill 171 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 31-19-2-13, AS AMENDED BY P.L.81-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) ~~Except for a child who is under the care and supervision of the department,~~ A petitioner for adoption may file a separate, ex parte, verified petition requesting temporary custody of a child sought to be adopted at the time of or any time after the filing of a petition for adoption. The petition for temporary custody must be signed by each petitioner for adoption.

(b) A court may grant a petition for temporary custody filed under subsection (a) for a child who is under the care and supervision of the department if the court finds that:

- (1) the petition for adoption is in proper form;**
- (2) the department:**
 - (A) is a party to the adoption; or**
 - (B) has been served with notice of the petition for adoption and the petition for temporary custody;**
- (3) the petitioner is the current placement for the child at the time the petition for temporary custody is filed;**
- (4) the petitioner has been the child's placement for at least**



**twelve (12) months, consecutively or nonconsecutively; and
(5) the act of granting the petition filed under subsection (a)
is in the best interests of the child.**

**(b) (c) For a child who is not under the care and supervision of
the department, a court may grant a petition for temporary custody
filed under subsection (a) if the court finds that:**

(1) the petition for adoption is in proper form; and

**(2) the act of placing the child with the petitioner or petitioners
for adoption pending the hearing on the petition for adoption is in
the best interests of the child; and**

**(3) the petitioner for adoption is legally and financially
responsible for the child until otherwise ordered by the court.**

**(c) If temporary custody is granted under this section, the petitioner
or petitioners for adoption are legally and financially responsible for
the child until otherwise ordered by the court.**

**(d) To the extent that a temporary custody order issued under this
section conflicts with a custody order issued by any other court except
a court having appellate jurisdiction over the child, a temporary order
under this section controls.**

(e) A:

(1) party to the adoption; or

(2) person who had:

(A) custody of; or

(B) parenting time or visitation with;

**the child before a temporary custody order was issued under this
section;**

**may file a petition to suspend, modify, or revoke the temporary custody
order granted under this section.**

**(f) Upon receipt of a petition described in subsection (e), the court
shall set the matter for hearing.**

**(g) The court may suspend, modify, or revoke the temporary custody
order if the court determines suspension, modification, or revocation
of the temporary custody order is in the best interests of the child.**

**(h) If the court declines to enter an ex parte order granting the
petitioner temporary custody, the court shall set the matter for a
hearing not more than fifteen (15) days after the petitioner files the
petition for temporary custody under subsection (a).".**

**Page 4, line 18, delete "law." and insert "law, child safety, or
stability.".**

**Page 4, line 26, delete "to support visitation and the reunification
process." and insert ", unless the caregiver has safety concerns.".**

Page 5, line 13, delete "relative who" and insert "placement with



whom".

Page 5, line 13, after "resided" delete "with".

Page 5, line 14, delete "months" and insert "**months, consecutively or nonconsecutively",**

Page 5, line 38, delete "law." and insert "**law, child safety, or stability".**

Page 6, line 4, delete "to support visitation and the reunification process." and insert "**, unless the caregiver has safety concerns.**".

Page 7, line 11, delete "opinion" and insert "**order**".

Page 7, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 8. IC 31-34-23-6, AS AMENDED BY P.L.105-2022, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Except as provided in section 3 of this chapter, before changing a child's out-of-home placement, the department **or any other party seeking a change in placement** shall file a motion requesting a change in placement if the child:

(1) has been in the same out-of-home placement for at least **one (1) year; twelve (12) months, consecutively or nonconsecutively**; and

(2) is in:

- (A) a foster family home; or
- (B) the care of a relative.

(b) The person with whom the child is placed may:

(1) indicate in writing that the person:

(A) does not intend to contest the change of placement under subsection (a); and

(B) waives the right to request a hearing under subsection (f); and

(2) provide the writing to:

- (A) the department; or
- (B) the court.

(c) If **the department any party** files the motion described in subsection (a), the **department party** shall give notice to all persons affected. The **department's party's** notice must state that the person affected may file a written objection not later than **ten (10) fifteen (15)** days after service of the **department's** notice.

(d) If a writing described in subsection (b)(1) is provided to the department before the department files the motion described in subsection (a), the department may file the writing with the motion requesting a change in placement.

(e) If **the court receives the writing described in subsection (b)**, the



court may rule on the department's motion without delay. If the motion filed by a party alleges substantiated exigent circumstances (as defined in IC 31-9-2-44.1) or the court receives the writing described in subsection (b), the court may rule on the party's motion without delay.

(f) If the person affected files a timely objection to the department's party's motion requesting a change in out-of-home placement, the juvenile court shall hold a hearing on the question.

(g) If a petition has been filed under IC 31-19-2-13, the court shall not change the child's placement until the petition under IC 31-19-2-13 has been ruled on.

(g) (h) The department party must show that the change in out-of-home placement is in the best interests of the child.".

Page 8, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to SB 171 as printed January 13, 2026.)

JOHNSON T

