

IC 31-37-21

Chapter 21. Reports Required for Reviewing Dispositional Decrees

IC 31-37-21-1

Progress report; modification report

Sec. 1. (a) Before a hearing under IC 31-37-20-2 or IC 31-37-20-3, the probation department shall prepare a report on the progress made in implementing the dispositional decree, including the progress made in rehabilitating the child, preventing placement out-of-home, reuniting the family, or finalizing another permanency plan as approved by the court.

(b) Before preparing the report required by subsection (a), the probation department shall consult a foster parent of the child about the child's progress made while in the foster parent's care.

(c) If modification of the dispositional decree is recommended, the probation department shall prepare a modification report containing the information required by IC 31-37-17 and request a formal court hearing.

As added by P.L.1-1997, SEC.20. Amended by P.L.145-2006, SEC.351; P.L.146-2008, SEC.658.

IC 31-37-21-2

Provision of copies of reports and factual summaries of reports

Sec. 2. (a) Except as provided by subsection (b), a report prepared by the state:

(1) for the juvenile court's review of the court's dispositional decree; or

(2) for use at a periodic case review or hearing under IC 31-37-20-2 or IC 31-37-20-3;

shall be made available to the child, and the child's parent, foster parent, guardian, guardian ad litem, custodian, court appointed special advocate, or any other person who is entitled to receive notice under IC 31-37-20-4.5 within a reasonable time after the report's presentation to the court or before the hearing.

(b) If the court determines on the record that the report contains information that should not be released to any person who is entitled to receive a report under subsection (a), the court is not required to make the report available to the person as required under subsection (a). However, the court shall provide a copy of the report to the following:

(1) Each attorney or a guardian ad litem representing the child.

(2) Each attorney representing the child's parent, guardian, or custodian.

(3) A court appointed special advocate.

(c) The court may also provide a factual summary of the report to the child or the child's parent, foster parent, guardian, or custodian.

As added by P.L.1-1997, SEC.20. Amended by P.L.146-2006, SEC.58; P.L.138-2007, SEC.87.

IC 31-37-21-3

Admissibility of reports; opportunity to controvert report

Sec. 3. (a) Any report may be admitted into evidence to the extent that the report contains evidence of probative value even if the evidence would otherwise be excluded.

(b) If a report contains information that should not be released to the child or the child's parent, guardian, custodian, or any other person who is entitled to receive a report under section 2 of this chapter, a factual summary of the report may be admitted.

(c) The following shall be given a fair opportunity to controvert any part of the report admitted into evidence:

- (1) The child.
- (2) The child's parent, guardian, or custodian.
- (3) The person representing the interests of the state.
- (4) Any other person who is entitled to receive a report under section 2 of this chapter/

As added by P.L.1-1997, SEC.20. Amended by P.L.138-2007, SEC.88.