

IC 31-37-9

Chapter 9. Program of Informal Adjustment

IC 31-37-9-1

Implementation of program; submission of proposed program to department; comments and recommendations

Sec. 1. (a) After the preliminary inquiry and upon approval by the juvenile court, the intake officer may implement a program of informal adjustment if the officer has probable cause to believe that the child is a delinquent child and the child is not removed from the child's home.

(b) If the program of informal adjustment includes services requiring payment by the department under IC 31-40-1, the intake officer shall submit a copy of the proposed program to the department before submitting it to the juvenile court for approval. Upon receipt of the proposed program, the department may submit its comments and recommendations, if any, to the intake officer and the juvenile court.

As added by P.L.1-1997, SEC.20. Amended by P.L.146-2008, SEC.629.

IC 31-37-9-2

Consent; payment for services

Sec. 2. The child and the child's parent, guardian, custodian, or attorney must consent to the program of informal adjustment. Before payment for services to the family may be paid, written consent must also be obtained from the department.

As added by P.L.1-1997, SEC.20. Amended by P.L.146-2008, SEC.630.

IC 31-37-9-3

Petition for compliance

Sec. 3. If:

- (1) the child is an alleged delinquent child; and
- (2) the child's parent, guardian, or custodian fails to participate in the program of informal adjustment;

the probation department or the department may file a petition for compliance.

As added by P.L.1-1997, SEC.20. Amended by P.L.145-2006, SEC.338.

IC 31-37-9-4

Notice, hearing, and order for compliance; contempt

Sec. 4. (a) Upon the filing of a petition for compliance and after notice and a hearing on the petition for compliance, the juvenile court may order the parent, guardian, or custodian of a child to participate in a program of informal adjustment implemented under section 1 of this chapter.

(b) A parent, guardian, or custodian who fails to participate in a program of informal adjustment ordered by the court may be found

in contempt of court.

As added by P.L.1-1997, SEC.20. Amended by P.L.146-2008, SEC.631.

IC 31-37-9-5

Repealed

(Repealed by P.L.197-1997, SEC.29.)

IC 31-37-9-6

Repealed

(Repealed by P.L.197-1997, SEC.29.)

IC 31-37-9-7

Duration of program; extension

Sec. 7. A program of informal adjustment may not exceed six (6) months, except by approval of the juvenile court. The juvenile court may extend a program of informal adjustment an additional three (3) months.

As added by P.L.1-1997, SEC.20. Amended by P.L.146-2008, SEC.632.

IC 31-37-9-8

Repealed

(Repealed by P.L.197-1997, SEC.29.)

IC 31-37-9-9

Informal adjustment program fee; order for payment

Sec. 9. The juvenile court may order each child who participates in a program of informal adjustment or the child's parents to pay an informal adjustment program fee of:

- (1) at least five dollars (\$5); but
- (2) not more than fifteen dollars (\$15);

for each month that the child participates in the program instead of the court cost fees prescribed by IC 33-37-4-3.

As added by P.L.1-1997, SEC.20. Amended by P.L.98-2004, SEC.114.

IC 31-37-9-10

Informal adjustment program fee; collection and disposition

Sec. 10. (a) The probation department for the juvenile court shall do the following:

- (1) Collect the informal adjustment program fee set under section 9 of this chapter; and
- (2) Transfer the collected informal adjustment program fees to the county auditor not later than thirty (30) days after the fees are collected.

(b) The county auditor shall deposit the fees in the county user fee fund established by IC 33-37-8-5.

As added by P.L.1-1997, SEC.20. Amended by P.L.98-2004, SEC.115.