



CHESTER J. CULVER  
GOVERNOR

## OFFICE OF THE GOVERNOR

PATTY JUDGE  
LT. GOVERNOR

March 19, 2010

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
L O C A L

Dear Mr. Secretary:

I hereby transmit:

**Senate File 2298**, an Act relating to the attendance of a child at juvenile court hearings or meetings during the pendency of a child in need of assistance case.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver", with a long horizontal flourish extending to the right.

Chester J. Culver  
Governor

CJC:bdj

cc: Secretary of the Senate  
Chief Clerk of the House





Senate File 2298

AN ACT

RELATING TO THE ATTENDANCE OF A CHILD AT JUVENILE COURT HEARINGS  
OR MEETINGS DURING THE PENDENCY OF A CHILD IN NEED OF  
ASSISTANCE CASE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 232.91, subsection 3, Code 2009, is amended to read as follows:


3. Any person who is entitled under section 232.88 to receive notice of a hearing concerning a child shall be given the opportunity to be heard in any other review or hearing involving the child. A foster parent, relative, or other individual with whom a child has been placed for preadoptive care shall have the right to be heard in any proceeding involving the child. If a child is of an age appropriate to attend the hearing but the child does not attend, the court shall determine if the child was informed of the child's right to attend the hearing. A presumption exists that it is in the best interest of a child fourteen years of age or older to attend all hearings.

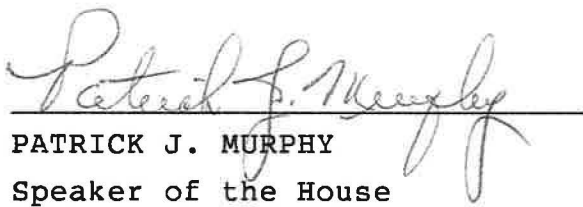
Sec. 2. Section 232.91, Code 2009, is amended by adding the following new subsections:

NEW SUBSECTION. 4. If a child is of an age appropriate to attend a hearing but the child does not attend, the court shall determine if the child was informed of the child's right to attend the hearing. A presumption exists that it is in the best interests of a child fourteen years of age or older to attend all hearings and all staff or family meetings involving placement options or services provided to the child. The department shall allow the child to attend all such hearings and meetings unless the attorney for the child finds the child's


attendance is not in the best interests of the child. If the child is excluded from attending a hearing or meeting, the department shall maintain a written record detailing the reasons for excluding the child. Notwithstanding sections 232.147 through 232.151, a copy of the written record shall be made available to the child upon the request of the child after reaching the age of majority.

NEW SUBSECTION. 5. For purposes of this section, "attend" includes the appearance of the child at a hearing by video or telephonic means.


  
JOHN P. KIBBIE  
President of the Senate

  
PATRICK J. MURPHY  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2298, Eighty-third General Assembly.

  
MICHAEL E. MARSHALL  
Secretary of the Senate

Approved March 19<sup>th</sup>, 2010

  
CHESTER J. CULVER  
Governor