

CHAPTER 62

JUVENILE JUSTICE — DISPOSITION OF DELINQUENCY AND CHILD IN NEED OF ASSISTANCE CASES

S.F. 412

AN ACT relating to child welfare, including provisions relating to child in need of assistance and delinquency cases.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 232.8, Code 2015, is amended by adding the following new subsection: NEW SUBSECTION. 4A. a. Juvenile court services may provide follow-up services for a child adjudicated to have committed a delinquent act upon the child reaching eighteen years of age until the child is twenty-one years of age, if the child and juvenile court services determine the child should remain under the guidance of a juvenile court officer. Follow-up services shall be made available to the child, as necessary, to meet the long-term needs of the child aging into adulthood.

b. A child who remains under the guidance of juvenile court services under paragraph “a” who is alleged to have committed a subsequent public offense shall be prosecuted as an adult.

Sec. 2. Section 232.97, subsections 1 and 3, Code 2015, are amended to read as follows:

1. The court shall not make a disposition of the petition until ~~two~~ five working days after a social report has been submitted to the court and counsel for the child and has been considered by the court. The court may waive the ~~two-day~~ five-day requirement upon agreement by all the parties. The court may direct either the juvenile court officer or the department of human services or any other agency licensed by the state to conduct a social investigation and to prepare a social report which may include any evidence provided by an individual providing foster care for the child. A report prepared shall include any founded reports of child abuse.

3. The social report shall not be disclosed except as provided in this section and except as otherwise provided in this chapter. ~~Prior~~ At least five days prior to the hearing at which the disposition is determined, the court shall ~~permit send a copy of the social report to counsel for the child, counsel for the child’s parent, guardian, or custodian, and the guardian ad litem to inspect any social report to be considered by the court.~~ The court may in its discretion order counsel not to disclose parts of the report to the child, or to the parent, guardian, or custodian if disclosure would seriously harm the treatment or rehabilitation of the child or would violate a promise of confidentiality given to a source of information. If the report indicates the child has behaved in a manner that threatened the safety of another person, has committed a violent act causing bodily injury to another person, or has been a victim or perpetrator of sexual abuse, unless otherwise ordered by the court, the child’s parent, guardian, or foster parent or other person with custody of the child shall be provided with that information.

Approved April 24, 2015