

**Senate File 412 - Introduced**

SENATE FILE 412  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO SSB 1180)

**A BILL FOR**

1 An Act relating to child welfare, including provisions relating  
2 to child in need of assistance and delinquency cases.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.8, Code 2015, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 4A. a. The juvenile court may provide  
4 follow-up services for a child adjudicated to have committed a  
5 delinquent act upon the child reaching eighteen years of age  
6 until the child is twenty-one years of age, if the child and  
7 the juvenile court determine the child should remain under  
8 the jurisdiction of the juvenile court. Follow-up services  
9 shall be made available to the child, as necessary, to meet the  
10 long-term needs of the child aging into adulthood.

11 b. A child who remains under the jurisdiction of the  
12 juvenile court under paragraph "a" who is alleged to have  
13 committed a subsequent public offense shall be prosecuted as an  
14 adult.

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

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

28 3. The social report shall not be disclosed except as  
29 provided in this section and except as otherwise provided in  
30 this chapter. ~~Prior~~ At least five days prior to the hearing  
31 at which the disposition is determined, the court shall ~~permit~~  
32 send a copy of the social report to counsel for the child,  
33 counsel for the child's parent, guardian, or custodian, and the  
34 guardian ad litem ~~to inspect any social report to be considered~~  
35 ~~by the court.~~ The court may in its discretion order counsel

1 not to disclose parts of the report to the child, or to the  
2 parent, guardian, or custodian if disclosure would seriously  
3 harm the treatment or rehabilitation of the child or would  
4 violate a promise of confidentiality given to a source of  
5 information. If the report indicates the child has behaved  
6 in a manner that threatened the safety of another person,  
7 has committed a violent act causing bodily injury to another  
8 person, or has been a victim or perpetrator of sexual abuse,  
9 unless otherwise ordered by the court, the child's parent,  
10 guardian, or foster parent or other person with custody of the  
11 child shall be provided with that information.

12

EXPLANATION

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The inclusion of this explanation does not constitute agreement with  
the explanation's substance by the members of the general assembly.

15 This bill relates to child welfare including provisions  
16 relating to child in need of assistance and delinquency cases  
17 and subsidized guardianship assistance.

18 JURISDICTION — DELINQUENCY. The bill amends juvenile  
19 court jurisdictional provisions to allow the juvenile court to  
20 provide follow-up services for a child adjudicated by the court  
21 to have committed a delinquent act upon the child reaching 18  
22 years of age until the child is 21 years of age, if the child  
23 and the juvenile court determine the child should remain under  
24 the jurisdiction of the juvenile court. Follow-up services  
25 shall be made available to the child, as necessary, to meet the  
26 long-term needs of the child aging into adulthood. A child  
27 who remains under the jurisdiction of the juvenile court under  
28 the bill who is alleged to have committed a subsequent public  
29 offense shall be prosecuted as an adult.

30 SOCIAL INVESTIGATION AND REPORT — CHILD IN NEED OF  
31 ASSISTANCE. Under current law, a court cannot make a  
32 disposition of a petition in a child in need of assistance case  
33 until two working days after a social report has been submitted  
34 to the court and counsel for the child and has been considered  
35 by the court, but this two-day requirement may be waived by

1 the court upon agreement of the parties. The bill increases  
2 this time period to five working days. The bill also requires  
3 the court, at least five days before a dispositional hearing,  
4 to send a copy of the social report to the child's counsel,  
5 counsel for the child's parent, guardian, or custodian, and  
6 the guardian ad litem. Under Code section 232.2, a social  
7 report is a report furnished to the court which contains  
8 the information collected during a social investigation,  
9 defined as an investigation conducted for the purpose of  
10 collecting information relevant to the court's fashioning of an  
11 appropriate disposition of a child in need of assistance case.