

**Senate Study Bill 1180 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON MATHIS)

**A BILL FOR**

1 An Act relating to child welfare, including provisions relating  
2 to child in need of assistance and delinquency cases and  
3 subsidized guardianship assistance.  
4 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 public offense shall be prosecuted as an adult.

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

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

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

1 parent, guardian, or custodian if disclosure would seriously  
2 harm the treatment or rehabilitation of the child or would  
3 violate a promise of confidentiality given to a source of  
4 information. If the report indicates the child has behaved  
5 in a manner that threatened the safety of another person,  
6 has committed a violent act causing bodily injury to another  
7 person, or has been a victim or perpetrator of sexual abuse,  
8 unless otherwise ordered by the court, the child's parent,  
9 guardian, or foster parent or other person with custody of the  
10 child shall be provided with that information.

11 Sec. 3. TITLE IV-E GUARDIANSHIP ASSISTANCE STATE PLAN  
12 AMENDMENT — SUBSIDIZED GUARDIANSHIP PROGRAM. The department  
13 of human services shall submit a Title IV-E guardianship  
14 assistance state plan amendment to the United States department  
15 of health and human services to allow Title IV-E funding to be  
16 used for a subsidized guardianship program to enable children  
17 in the care of grandparents and other relatives to exit foster  
18 care into permanent homes.

19 EXPLANATION

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

22 This bill relates to child welfare including provisions  
23 relating to child in need of assistance and delinquency cases  
24 and subsidized guardianship assistance.

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

1 prosecuted as an adult.

2 SOCIAL INVESTIGATION AND REPORT — CHILD IN NEED OF  
3 ASSISTANCE. Under current law, a court cannot make a  
4 disposition of a petition in a child in need of assistance case  
5 until two working days after a social report has been submitted  
6 to the court and counsel for the child and has been considered  
7 by the court, but this two-day requirement may be waived by  
8 the court upon agreement of the parties. The bill increases  
9 this time period to five working days. The bill also requires  
10 the court, at least five days before a dispositional hearing,  
11 to send a copy of the social report to the child's counsel,  
12 counsel for the child's parent, guardian, or custodian, and  
13 the guardian ad litem. Under Code section 232.2, a social  
14 report is a report furnished to the court which contains  
15 the information collected during a social investigation,  
16 defined as an investigation conducted for the purpose of  
17 collecting information relevant to the court's fashioning of an  
18 appropriate disposition of a child in need of assistance case.

19 TITLE IV-E GUARDIANSHIP ASSISTANCE STATE PLAN AMENDMENT  
20 — SUBSIDIZED GUARDIANSHIP PROGRAM. The bill directs  
21 the department of human services to submit a Title IV-E  
22 guardianship assistance state plan amendment to the United  
23 States department of health and human services to allow Title  
24 IV-E funding to be used for a subsidized guardianship program  
25 to enable children in the care of grandparents and other  
26 relatives to exit foster care into permanent homes.