

House Study Bill 45 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to a juvenile court's ability to suspend
2 proceedings in child in need of assistance cases.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 232.95A **Suspended proceedings.**

2 At any time after the filing of a petition and prior to entry
3 of an order of adjudication pursuant to section 232.96, the
4 court may suspend the proceedings on motion of any party and
5 continue the case subject to terms and conditions established
6 by the court to assure the proper care and protection of the
7 child. Such terms and conditions may include the supervision
8 of the child and of the parent, guardian, or custodian by
9 the department, juvenile court office, or other appropriate
10 agency designated by the court. The maximum duration of any
11 term or condition of a suspended proceeding shall be twelve
12 months unless the court finds at a hearing held during the last
13 month of that period that exceptional circumstances require
14 an extension of the term or condition for an additional six
15 months.

16 EXPLANATION

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

19 This bill allows a juvenile court to enter an order
20 suspending proceedings in child in need of assistance cases any
21 time after the filing of a petition and prior to an order of
22 adjudication upon motion of any party. A suspension shall be
23 subject to terms and conditions established by the court which
24 may include the supervision of the child and of the parent,
25 guardian, or custodian by the department of health and human
26 services, juvenile court office, or other appropriate agency
27 designated by the court. The duration of any term or condition
28 of a suspended judgment cannot exceed 12 months unless the
29 court finds at a hearing held during the last month of that
30 period that exceptional circumstances require an extension of
31 the term or condition for an additional six months.