

CHAPTER 1003

LEGAL SERVICES TO INDIGENT PERSONS

S.F. 2382

AN ACT relating to the establishment of pilot projects for the provision of legal services to indigent persons through contracts with private attorneys and providing an effective date.

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

Section 1. 1992 Iowa Acts, House File 2455,* section 44, subsection 1, if enacted by the Seventy-fourth General Assembly, 1992 Session, is amended to read as follows:

1. The state public defender shall establish a two-year pilot project to contract with private attorneys for the provision of legal services to indigent persons in ~~two~~ six counties, with such counties to be determined by the chief justice of the supreme court, pursuant to this section.

Sec. 2. This Act takes effect July 1, 1992.

Approved June 3, 1992

CHAPTER 1004

FOSTER AND SHELTER CARE

S.F. 2385

AN ACT relating to foster and shelter care and providing an effective date.

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

Section 1. FOSTER CARE REVIEW BOARD.

1. Notwithstanding 1992 Iowa Acts, House File 2455,* section 6, subsection 8, if enacted by the Seventy-fourth General Assembly, 1992 Session, the state foster care review board shall use up to \$50,000 to fund an administrator for the board. The board shall first use any funds transferred from the department of human services to the board pursuant to subsection 2 of this section for this purpose. Any remaining amounts necessary to fund the administrator shall be funded from the appropriation made in 1992 Iowa Acts, House File 2455, section 6, subsection 8, if enacted by the Seventy-fourth General Assembly, 1992 Session.

2. The department of human services shall transfer any funds received pursuant to 1992 Iowa Acts, House File 2455,* section 6, subsection 9, if enacted by the Seventy-fourth General Assembly, 1992 Session, to the state foster care review board to be used as provided in subsection 1 of this section.

Sec. 2. Section 232.102, subsection 9, paragraph a, subparagraph (1), if enacted by 1992 Iowa Acts, House File 2480,** section 5, is amended to read as follows:

(1) The type, duration, and intensity of services or support offered or provided to the child and the child's family. If intensive family preservation services were not provided, the court record shall enumerate the reasons the services were not provided, including but not limited to whether the services were not available, not accepted by the child's family, judged to be unable to protect the child and the child's family during the time the services would have been provided, judged to be unlikely to be successful in resolving the problems which would lead to removal of the child, or other services were found to be more appropriate.

Sec. 3. Section 232.141, subsection 8, if enacted by 1992 Iowa Acts, House File 2480,** section 8, is amended to read as follows:

*Chapter 1242 herein

**Chapter 1229 herein

8. This subsection applies only to placements in a juvenile shelter care home which is publicly owned, operated as a county or multicounty shelter care home, organized under a chapter 28E agreement, or operated by a private juvenile shelter care home. ~~If the department's reimbursement for the allowable costs of a child's shelter care placement exceeds the amount the department is authorized to pay in accordance with law and administrative rule, the unpaid costs may be recovered from the child's county of legal settlement. The unpaid costs are payable pursuant to filing of verified claims against the county of legal settlement. A detailed statement of the facts upon which a claims claim is based shall accompany the claim. Any dispute between counties arising from filings of claims pursuant to this subsection shall be settled in the manner provided to determine legal settlement in section 230.12.~~

Sec. 4. Section 234.38, subsection 2, as enacted by 1992 Iowa Acts, House File 2480,* section 26, is amended by striking the subsection.

Sec. 5. 1992 Iowa Acts, House File 2452,** section 32, if enacted by the Seventy-fourth General Assembly, 1992 Session, is repealed.

Sec. 6. This Act takes effect July 1, 1992.

Approved June 3, 1992

*Chapter 1229 herein

**Chapter 1231 herein