

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6284

BILL NUMBER: HB 1087

DATE PREPARED: Dec. 27, 2001

BILL AMENDED:

SUBJECT: Foster Parents' Participation in Certain Juvenile Proceedings.

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FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill entitles a long term foster parent to intervene as a party in a proceeding for the periodic review of a dispositional decree involving a child in need of services.

Effective Date: July 1, 2002.

Explanation of State Expenditures: This bill defines "long term foster parent" as a person who has been a child's foster parent, providing care and supervision for at least 12 months. The bill makes a long term foster parent a party to periodic case reviews including permanency hearings upon receipt of written notice to the court. In addition, a long term foster parent who is the subject of a substantiated report of child abuse or neglect or has been convicted of a felony under IC 12-17.4-4-11, is ineligible to intervene.

The bill may require the staff and attorneys for the Family and Social Services Administration (FSSA), Division of Family and Children, to spend more hours in individual case proceedings. The number of periodic case reviews that might be lengthened as a result of this bill is undetermined, although FSSA estimates that approximately 45% of all cases to terminate parental rights (TPR) involve a long term foster parent. In 2000 there were 384 TPR cases involving long term foster parents.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues:

Explanation of Local Expenditures: Courts with juvenile jurisdiction may be required to devote more time to the hearing of Children in Need of Services (CHINS) and TPR cases. The Division of State Court Administration estimates that each CHINS case requires slightly less than two hours to complete and that the average TPR proceeding requires 2 1/4 hours to complete.

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration, Division of Family and Children.

Local Agencies Affected: Courts with juvenile jurisdictions.

Information Sources: Indiana Judicial Report; Amy Brown, Legislative Director for the Family and Social Services Agency, (317) 232-1149.