

FEB 12 2002
HUMAN RESOURCES

HOUSE FILE 2286
BY FORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to child in need of assistance dispositional and
2 review hearings.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF-2286

1 Section 1. Section 232.99, subsection 3, Code 2001, is
2 amended to read as follows:

3 3. In the initial dispositional hearing, any hearing held
4 under section 232.103, and any dispositional review or
5 permanency hearing, the court shall inquire of the parties as
6 to the sufficiency of the services being provided and whether
7 additional services are needed to facilitate the safe return
8 of the child to the child's home. If the court determines
9 such services are needed, the court shall order the services
10 to be provided. The court shall advise the parties in person
11 that failure to identify a deficiency in services or to
12 request additional services may preclude the party from
13 challenging the sufficiency of the services in a termination
14 of parent-child relationship proceeding.

15 Sec. 2. Section 232.101, Code 2001, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 3. The initial dispositional review
18 hearing for an order entered in accordance with this section
19 shall be held no later than six months from the date the order
20 was entered and shall not be waived or continued. A
21 subsequent dispositional review hearing for such an order
22 shall be held no later than twelve months from the latest
23 dispositional review hearing and shall not be waived or
24 continued. At each dispositional review hearing, the court
25 shall advise the parties in person that failure to identify a
26 deficiency in services or to request additional services may
27 preclude the party from challenging the sufficiency of the
28 services in a termination of parent-child relationship
29 proceeding.

30 EXPLANATION

31 This bill relates to child in need of assistance (CINA)
32 dispositional and review hearings.

33 Code section 232.99, relating to the dispositional hearing
34 following the entry of a finding that a child is a CINA, is
35 amended. The bill provides that a current requirement for the

1 court to advise the parties regarding failure to identify a
2 deficiency in services, as it relates to later termination of
3 parent-child relationship proceedings, must be made to the
4 parties in person.

5 A similar requirement for the court to provide advice to
6 parties in person is included in a new subsection under Code
7 section 232.101, relating to a dispositional order for
8 retention of custody of a child by the child's parent,
9 guardian, or custodian following entry of a CINA finding. In
10 addition, the bill provides that the initial review hearing
11 for such a dispositional order must be held within six months
12 of the order's entry and subsequent review hearings must be
13 held within 12 months. These review hearings cannot be waived
14 or continued.

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35