

## MINUTES

Juvenile Benchbook Committee

January 26, 2024

via Microsoft Teams

1. **Attendees:** Rosanne Ang, Anah Gouty, Amanda Guzmán, Sherry Hartzler, Kent Kiracofe (Chair), Ryan Tanselle, Erica Stallworth, Tricia Thompson, and Mary Welker. The meeting was staffed by Mindy Pickett from IOCS.
2. **Minutes:** The Committee approved the October 27, 2023, meeting minutes.
3. **TPR Benchbook Updates:** Mag. Hartzler presented proposed changes to the TPR Benchbook and forms regarding appointment of counsel in light of two recent cases, *D.C.* and *In re C.C.* The committee reviewed and approved the revisions to the Benchbook, the Voluntary Termination Dialogue, and Initial Hearing on Involuntary Termination Dialogue. The committee also discussed creating a written advisement of rights form for parties to sign at the initial hearing on involuntary termination and creating a TPR checklist for judicial officers. Judge Kiracofe volunteered to draft the TPR checklist, and the committee will review sample advisements provided by committee members at the next meeting.
4. **Waiver of Counsel in Delinquency cases:** Judge Kiracofe updated the Waiver of Counsel form and created a Waiver of Counsel Dialogue. The committee reviewed and approved both to be posted. A notation will be made in the Benchbook that the waiver dialogue exists.
5. **Case law updates to Benchbooks:** Ref. Gouty presented revisions to the Delinquency Benchbook to add T.D. v. State, 219 N.E.3d 719 (Ind. 2023). Ref. Gouty is also going to work on revising the dialogues regarding waiver of counsel for the next meeting. Judge Tanselle volunteered to draft a statewide advisement of rights for delinquency cases. Mag. Ang presented revisions to the CHINS Benchbook to add Matter of Z.H., 219 N.E.3d 187 (Ind. App. 2023). The committee approved both case law updates.
6. **Other business:**
  - a. The Committee discussed the following recent published cases: D.M. v. State, 222 N.E.3d 404 (Ind. App. 2023), Matter of B.M., 223 N.E.3d 1105 (Ind. App. 2023), A.L., 223 N.E.3d 1126 (Ind. App. 2023), D.H. v. A.C., No. 23A-JT-1369, 2023 WL 8817913 (Ind. App. Dec. 21, 2023), and Matter of A.B., No. 23A-JT-901, 2023 WL 9010666 (Ind. App. Dec. 29, 2023). The committee did not recommend adding any of the cases to the benchbooks.
  - b. The committee discussed potential future projects including contempt procedures in juvenile cases, a fee chart, and guidance on a motion to suppress before a waiver hearing. Mag. Hartzler agreed to start working on some guidance regarding contempt. Mindy is going to check the benchbooks to ensure a link to the Indiana Trial Court Fee Manual is included. The guidance on motion to suppress/waiver hearing was tabled for a future meeting.
  - c. Mindy notified the committee that the Delinquency Benchbook has been updated and posted to reflect the criminal rules revisions effective January 1, 2024.

### 2024 MEETINGS:

March 22 (Microsoft Teams)

June 28 (Microsoft Teams)

August 30 (Microsoft Teams)

October 25 (In-person IOCS Indianapolis)