

	<b>INDIANA DEPARTMENT OF CHILD SERVICES</b>	
	<b>PROBATION SERVICES MANUAL</b>	
	<b>Chapter 2: Placements</b>	<b>Effective Date:</b>
<b>Section 20: Placement Costs</b>	<b>Version: 1</b>	

**Parental Responsibility for Placement Costs:**

**Obligation of Parent or Guardian for Costs and Services IC 31-40-1-3**

If a child is adjudicated a delinquent (or CHINS) or participates in an informal adjustment and the child receives services or is placed in a residential facility provided by our through the Department of Child Services (DCS), the parent or guardian of the estate of the child is financially responsible for the costs of the services or placement. The parent or guardian of the estate of the child shall complete a child support obligation worksheet prescribed by the Indiana Supreme Court (<http://www.in.gov/judiciary/2625.htm>). The Court shall then order the parents or guardians of the estate of the child to pay for or reimburse the DCS for the costs of the services unless the court “makes a specific finding that the parent or guardian is unable to pay or that justice would not be served by ordering payment from the parent or guardian.”

If the Court orders reimbursement, Indiana Code states the reimbursement shall be paid directly to the DCS as long as the case is open. The DCS has the responsibility for “keeping track of all payments made by each parent and shall provide a receipt for each payment received”. If the case is closed and an unpaid balance remains, the Court “shall reduce the unpaid balance to a final judgment that may be enforced in any court having jurisdiction over such matters.” An example of a Financial Obligation Order can be found in the Juvenile Delinquency Benchbook, under the Chapter 11, Disposition Hearings (<http://www.in.gov/judiciary/center/2644.htm>).

**Parents who have been ordered to pay directly to DCS should mail payments (money orders or personal checks) to:**

**DCS**

**402 W Washington, Room 364W, MS 54**

**Indianapolis IN 46204.**

**Checks /money orders should be made payable to DCS. To ensure proper credit parents should include a note with the full name of juvenile along with the cause/case number.**The DCS has set up an electronic mailbox to receive Court orders in which reimbursements have been ordered. Please send the orders to [DCSReimbursementCourtOrders@dcs.IN.gov](mailto:DCSReimbursementCourtOrders@dcs.IN.gov). The DCS Cash Management Office tracks all reimbursement payments received by DCS. To inquire about fees that have been paid to the DCS Probation Officers can send an email to [DCSReimbursementCourtOrders@dcs.IN.gov](mailto:DCSReimbursementCourtOrders@dcs.IN.gov) and request the remaining balance on a case. The email should include the child's name, DOB, Payer, and a cause number.

**Indiana Code 31-40-1-3** (<http://www.in.gov/legislative/ic/2010/title31/ar40/ch1.pdf>)

**Obligation of parent or guardian for cost of services provided to child adjudicated delinquent or in need of services; child support obligation worksheet; manner of payment**

Sec. 3. (a) A parent or guardian of the estate of:

- (1) a child adjudicated a delinquent child or a child in need of services; or
- (2) a participant in a program of informal adjustment approved by a juvenile court under IC 31-34-8 or IC 31-37-9;

is financially responsible as provided in this chapter (or IC 31-6-4-18(e) before its repeal) for any services provided by or through the department.

(b) Each person described in subsection (a) shall, before a hearing under subsection (c) concerning payment or reimbursement of costs, furnish the court and the department with an accurately completed and current child support obligation worksheet on the same form that is prescribed by the Indiana supreme court for child support orders.

(c) At:

- (1) a detention hearing;
- (2) a hearing that is held after the payment of costs by the department under section 2 of this chapter (or IC 31-6-4-18(b) before its repeal);
- (3) the dispositional hearing; or
- (4) any other hearing to consider modification of a dispositional decree;

the juvenile court shall order the child's parents or the guardian of the child's estate to pay for, or reimburse the department for the cost of services provided to the child or the parent or guardian unless the court makes a specific finding that the parent or guardian

is unable to pay or that justice would not be served by ordering payment from the parent or guardian.

(d) Any parental reimbursement obligation under this section shall be paid directly to the department and not to the local court clerk so long as the child in need of services case, juvenile delinquency case,

or juvenile status offense case is open. The department shall keep track of all payments made by each parent and shall provide a receipt for each payment received. At the end of the child in need of

services, juvenile delinquency, or juvenile status action, the department shall provide an accounting of payments received, and the court may consider additional evidence of payment activity and determine the amount of parental reimbursement obligation that remains unpaid. The court shall reduce the unpaid balance to a final judgment that may be enforced in any court having jurisdiction over such matters.

(e) After a judgment for unpaid parental reimbursement obligation is rendered, payments made toward satisfaction of the judgment shall be made to the clerk of the court in the county where the enforcement action is filed and shall be promptly forwarded to the department in the same manner as any other judgment payment.

*As added by P.L. 1-1997, SEC.23. Amended by P.L.273-1999, SEC.120; P.L.146-2008, SEC.667; P.L.182-2009(ss), SEC.388*

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