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2006

1. Preparation for Adult Living (PAL) Program (Iowa Law)

This law was written by other parties, but Iowa's youth helped to educate legislators about the importance of supporting youth from ages 18-21, while they get on their feet. This program provides a monthly stipend to youth who are working and/or attending college for a combination of 30 hours per week. Youth are required to check in with an assigned worker to verify their employment/school status and to budget. (Renewed, but no money added in 2009.)

2. MIYA – Extends Title 19 to age 21 for former foster youth (Iowa Law)

Previously in Iowa and currently in most other states, young people lose their access to Medicaid after they leave the system. This can place them at risk for losing jobs, flunking out of college, etc. when they are unable to treat ailments that basic medical care could prevent from becoming a significant issue.

2007

3. Sibling Visitation Bill/Grandparent Visitation Bill (Iowa Law)

The Department of Human Services is mandated to place siblings together whenever possible, even if it means working harder than they previously would have, to place siblings in the same home. Suitable reasons for not placing siblings together include one sibling being hurtful to another or the siblings being together causing them additional difficulties beyond what they would incur if placed apart. If siblings cannot be placed together, the Department of Human Services is to show the court, in writing, why this is not a possibility at the current time. Regular reviews are to include the possibility of moving siblings back together. When siblings cannot be placed together, visits are to be facilitated as often as possibly between the siblings, NOT contingent upon parent visits. Reasons acceptable for visits to not occur are the same as the reasons for placement together to not occur. DHS is again required to provide, in writing, to the court, why the children are not being given visits and again, reviews need to happen regularly to reevaluate the possibility of safe visits. Money, time and distance are not acceptable excuses to deny siblings visits. The grandparent visitation bill was attached to this document and provides grandparents with similar visitation rights as siblings.

4. All Iowa Foster Youth Opportunities Grant (Iowa Law)

After talking to Iowa's youth, Senator Jack Hatch of Des Moines realized that too many youth were being denied the opportunity to attend college and post-secondary training. This bill includes funding above and beyond the federal Education and Training Voucher for foster youth to receive a post-secondary education. This is one of the few bills related to foster care that also includes graduates of the state training schools in Toledo and Eldora. These youth, while considered foster youth, are not eligible for most other programs because Eldora and Toledo are considered part of the state penal system. After talking to youth in Iowa, who found this alarming, Senator Hatch included graduates of the training school as potential recipients. (Money added in 2009)

2008

5. The Department of Human Services or a designee of the department on or before the date the child reaches age eighteen must provide to the child a certified copy of the child's birth certificate and to facilitate securing a federal social security card. (Iowa Law) The fee for the certified copy that is otherwise chargeable shall be waived by the state or county registrar.

6. If a child is of an age appropriate to attend the hearing but the child does not attend, the court shall determine if the child was informed of the child's right to attend the hearing by their attorney/guardian ad litem. (Iowa Law) Previously it was assumed that attorneys were doing this and it was not happening. Many young people were unaware of when court was happening and of their right to attend proceedings.

7. Fostering Connections to Success and Increasing Adoptions Act of 2008 (Federal Law)

When Iowa youth attended the National Foster Parents Association Conference in May 2007, one of the things they did was visit the office of Iowa Senator Charles Grassley. The young people spoke with the senator and his staff about changes they would like to see to foster care. The following year, Senator Grassley invited a number of Iowans, including a young adult who is foster care alum, to the roll out on The Hill of the Fostering Connections to Success and Increasing Adoptions Act of 2008. The bill passed and was signed into law in October. While Iowa youth did not help to write the law, their words to Senator Grassley in May 2007 are clearly echoed in the law.

2009

8. Immediate transfer of educational records – when a child is placed in foster care; school records need to be immediately available to DHS. This allows the child to be enrolled in their new school immediately. (Iowa/Federal Law)

Iowa is addressing this problem through new policies to comply with the federal mandates in the “Fostering Connections” legislation passed October 7th 2008. Representatives from the Iowa Foster Care youth Council are on the education committee developing a process where DHS, Juvenile Court and Education can communicate electronically to speed up school enrollment for foster youth.

9. Guardianship - relative or long term foster families can become guardians to youth who don't want or aren't eligible for adoption or termination of parental rights. Guardians would be able to get monetary assistance and youth would get medical coverage. Guardians could sign papers that up to now only DHS or biological parents could sign. (DHS Policy/Iowa and Federal Law)

DHS revised the current guardianship program to reflect most of the changes suggested by Iowa's youth in the survey given to chapters this spring. Changes include:

- youth any age are eligible for guardianship
- youth have input on who is their guardian
- the law requires a youth age 14 or older to consent to the choice
- foster parents can be guardians
- the decision is made by the team & finally the judge
- The youth could be eligible for Chafee services (Aftercare and ETV) if the guardianship is finalized at age 16 or older. The youth would not be eligible for PAL
- Once the guardianship is finalized, a yearly report is required by the guardian to be filed with the court. Once the guardianship is finalized, the CINA should close and DHS would be relieved of supervision. The only ongoing responsibility for DHS would be to approve payments and to review the yearly report. It is modeled after adoption subsidy so there is no ongoing service case but there is still a worker who issues the payments.

2010

10. Transferring of Guardianships from Juvenile Court to the Probate Court – this legislation allows a juvenile court judge who has placed a child in a guardianship with a relative or other suitable adult to transfer the case to probate court and close the juvenile case.

This allows the youth to have the courts, social workers and everyone else “out of his/her life” after a permanent placement with a relative or other adult. The guardian will fill out a form each year to report on the well being of the youth and the youth can contact the court at any time if the living arrangement isn't going well. (Passed 3/23/10)

11. Ensuring that Children Over the Age of 14 are Allowed to Attend Meetings Affecting Them Unless Good Cause Warrants Exclusion - This legislation insures that youth in the foster care system over fourteen years of age are allowed to attend family team meetings, staffing, transition and other meetings involving discussions of placement options or services to be provided to the youth. This would be required unless the Department of Human Services finds it is not in the best interest of the child. If the child is excluded, a written record, including reasons for exclusion will be required to be kept and the record shall be available to the child upon that child reaching age eighteen. (Passed 3/19/10)

2012

12. Child Pornography/Human Trafficking - This legislation allows prosecutors to file multiple charges against defendants for possession of multiple computer images of child pornography, in the same way that current law provides for multiple charges when the images are in other forms. For example, if a defendant had 100 Polaroid pictures of child pornography in a shoe box, he could be charged with 100 counts. This law adds the above offense to list of offenses covered by sex offender registry requirements. It makes clear that the definition of human trafficking includes the knowing purchase of services involving commercial sexual activities from a victim or another person engaged in human trafficking. It also makes clear that a mistake of age defense is not available to a defendant in a human trafficking case. A defendant would not be able to claim “the victim looked older” or “showed me an ID.” It adds a provision making it clear that the solicitation of minors under the age of 18 (or the solicitation of a law enforcement officer representing himself or herself to be a person under the age of 18) to engage in commercial sexual activity is a human trafficking offense. Under current law, human trafficking means participating in a *venture* with two or more persons. The reason to add this provision is that a *single* individual could be soliciting a victim under 18 to engage in commercial sexual activity. An example would be a strip club owner recruiting under-age sex performers. Under the crime victim compensation program, compensation is denied when a victim consents or assists in a criminal act. This provision makes clear that compensation cannot be denied to a victim of human trafficking who is under the age of 18. The assumption is that a victim of human trafficking (such as a prostitution ring) is forced to consent and assist in the criminal act under threat from the captor. (Passed 4/4/12)

2013

13. Number one on the AMP legislative agenda was no further reduction in funding to shelters in Iowa! The session ended with funding staying at current levels and including a 5% increase. This is the only item that was directly addressed on our legislative agenda this year but other ideas are in the works for next year and we helped move other important legislation along for DHS.
AMP, PAL and Aftercare increase budget by 5%

14. HF590 – Differential Response

AMP youth hosted DHS SAMS to listen to the details of Differential Response at AMP council meetings across the state. Responses were sent to all the legislators, most were very positive, favoring giving services to families before sending youth to foster care. The law states if the child is in danger then DHS follows the rules we have now – charging the parents with abuse and putting the children in protective foster care or placement. If the children are not in danger and they - were neglected because of issues other than abuse (for example, left alone because parents could not afford a babysitter) than that would be a cause for Differential Response. This puts services in the families’ home without bringing charges against them or removing the children.

15. SF362 - This bill is something AMP was supporting in collaboration with DHS, the Drake Middleton Center and an adoptive parent from Ames. It will notify adoptive parents if a sibling of their adopted child comes into DHS foster care so that child can be placed with their sibling as a foster or adoptive placement. Now adoptive parents will get notice if a sibling to their adopted child comes into DHS so that they may be a placement option for that child in order to keep siblings together!

16. AMP asked for school personnel to be trained on trauma:

Training school personnel on trauma informed care and suicide prevention. This was included in the Human Services Appropriations bill **HF446**. Bill comes from the principle of the Johnston Middle school whose son committed suicide last year.

2014

17. HF2463 – Human Services Appropriations Bill

- AMP funding increase
- Funding for an AMP Council, PAL and Aftercare Services to support the young men placed at the training school at Eldora.
- The department shall perform a **review of the feasibility of and benefits associated with expanding foster care, kinship guardianships, and subsidized adoptions to be available on a voluntary basis to young adults who become age 18 while receiving child welfare services.** The purpose of the review is to determine the extent to which the expansion is covered under the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Pub. L. No. 110-351, and would draw additional federal support under the Title IV-E of the federal Social Security Act, allow the state to expand the preparation for

adult living program to additional young adults, and enhance the services and supports available under the program.

- **A Child Welfare Services Committee** is created. The committee shall perform the following duties: a. Review the array of child welfare services in the state. b. Identify options for improving the coordination and collaboration between the public and private entities involved with child welfare services. c. Direct special attention to children's mental and behavioral health services. d. Identify policies to support the growth and expansion of community-based pediatric integrated health homes. e. Identify options to support continuous improvement of pediatric mental health services and innovation by service providers of such services at the state and community levels. f. Consider proposals for creation of a center of collaborative children's mental and behavioral health services. g. Evaluate the adequacy of the public funding of child welfare services and identify options to address shortfalls and for shifting resources. 4. The committee shall submit a final report with findings and recommendations to the governor and general assembly for action in the 2015 legislative session.
- \$2,000,000 (**new money**) - For the placement costs of female children adjudicated as delinquent and male and female children adjudicated as a child in need of assistance.
(This is funding for the new Toledo)

18. HF2388 – Continuity of learning for children receiving foster care services. CAPS Project

The area education agency board is encouraged to employ a child welfare liaison to provide services and guidance to local school districts to facilitate the efficient and effective transfer and enrollment of a child adjudicated under chapter 232 or receiving foster care services to another school district. Record transfers will occur within 5 school days after receiving notification of enrollment. Sharing information between educators, child welfare agencies, juvenile court officers and assistance in transition planning. Easier access for youth to extracurricular activities, summer programs and credit transfers when changing schools.

19. SF2121 – Synthetic Drugs Signed by Governor 4/3/14 Human Recourses Committee

This bill adds several synthetic cannabinoids to the list of schedule I controlled substances. It also adds two anabolic steroids and one epilepsy drug to the schedule III controlled substance list. A weight loss hallucinogenic drug is classified as a schedule IV controlled substance. All of the substances were added to conform with federal changes. Penalties include class "C" felony, up to 10 year in jail and fines \$1000-\$50,000.

20. SF2311 – Human Trafficking Governor signed 4/24/14

- Allows the County Attorney to refer minor victims of human trafficking to DHS for CINA (child in need of assistance) proceedings, which would open up a wide array of important services to victims.
- Adds a \$1000 dollar surcharge, beginning January 1, 2015, for persons convicted of human trafficking, johns, pimps and panderers and establishes a human trafficking victim fund (where the surcharge shall be deposited) that shall be used for services for victims of human trafficking as well as public awareness.
- Requires the Iowa Law Enforcement Academy to report to the Legislature what resources are devoted to training relating to human trafficking.
- Further defines "enticement" of a minor to include enticement through mail, telephone, internet, or any social media.
- Allows for expunging (removal) a record of prostitution committed when the person was under age 18 if there are no additional crimes for two years.
- Increases the penalties for "johns", who offer to purchase or who purchase services of a prostitute who is under the age of 18, to a class "D" felony (was a simple misdemeanor).
- Increases the penalties for pimps who solicit and enable prostitution for a prostitute who is under the age of 18 to a class "C" felony (was a class "D" felony).
- Adds an affirmative defense if the alleged "pimp" is under the age of 21 and was prostituted as a child because of coercion, force, etc. of an adult.
- Extends the criminal statute of limitations for various sex offenses committed against children from three (3) to ten (10) years.
- Allows the Attorney General to seek a warrant to intercept communications that relate to felony human trafficking

21. HF2421 – Guardianship (no funding attached) Signed by the Governor 3/26/14

The bill allows the transfer of guardianship of a child to a custodian after the dispositional hearing if the person receiving guardianship meets the statutory definition of a custodian, the person receiving guardianship has assumed responsibility for the child prior to the filing of the child in need of assistance petition and has maintained responsibility for the child after the filing of the H.F. 2421 petition, and the parent of the child either does not appear at the dispositional hearing or the parent appears and does not object to the transfer of guardianship and agrees to waive the requirement for making reasonable efforts to prevent or eliminate the need for removal of the child from the child's home.

22. HF2109 E-Cigarettes Sent to the Governor for signing on 5/9/14

This bill focuses on restricting the sale and use of e-cigarettes to youth under age 18. *A person shall not sell, give, or otherwise supply any tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes to any person less than eighteen years of age. 2. A person under eighteen years of age shall not smoke, use, possess, purchase, or attempt to purchase any tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes.*

Arguments and discussions include devices that do not contain nicotine and are merely flavored vapor. The flavors are designed to appeal to youth: gummy bear, chocolate, bubble gum & cherry. This is called "vaping" and makes it impossible to enforce the law when both devices look the same.

An e-cigarette is a battery operated product designed to deliver nicotine to the user by heating up liquid nicotine, derived from tobacco plants, along with flavors and other chemicals into a vapor that the user inhales. The nicotine in e-cigarettes is highly addictive and has immediate biochemical effects on the brain and body at any dosage and is toxic at high doses.

Fines: 1st offense: \$100 2nd offense: \$250 3rd offense: \$500

23. SF2310 Underage Drinking "Social Host" Signed by Governor 4/24/14

This bill relates to the underage possession or consumption of alcohol and provides penalties. A person who is the owner, lessee or has control over property, shall not knowingly permit an under legal age person to consume or possess an alcoholic beverage on such property. Any person who violates this provision commits a simple misdemeanor for a first offense, punishable with a fine of \$200, and a simple misdemeanor for a second or subsequent offense, punishable by a \$500 fine. It is illegal to drink under the age of 21 in Iowa unless a minor is at home with permission of their parent/guardian. For a first offense, a person who is 18, 19, or 20 who consumes alcoholic liquor, wine, or beer in violation of the bill commits a simple misdemeanor punishable as a scheduled violation under Code section 805.8C, subsection 7; for a second offense a person commits a simple misdemeanor punishable by a fine of \$500; and for a third or subsequent offense the person commits a simple misdemeanor punishable by a fine of \$500 and suspension of the person's motor vehicle operating privileges for up to one year.

24. SF383 Sealing of Juvenile Delinquency Records Signed by the Governor May 23, 2014

In a juvenile delinquent case, the court, shall schedule a hearing to be held two years after the date of the last official action, or the date the child becomes eighteen years of age, whichever is later, to seal the juveniles records if there have been no further offences.

2015

25. Sealing of Confidentiality Records (SF292) signed by Governor April 24th

Juvenile court social records shall be confidential. They shall not be available to the public and may only be inspected by or disclosed to the following: (1) The judge and professional court staff, including juvenile court officers. (2) The child's counsel or guardian ad litem. (3) The county attorney and county attorney's assistants. (4) The superintendent or the superintendent's designee of the school district for the school attended by the child or the authorities in charge of an accredited nonpublic school attended by the child. (5) A member of the armed forces of the United States who is conducting a background investigation of an individual pursuant to federal law. (6) The statistical analysis center for the purposes stated in section 216A.136. (7) The state public defender.

26. Juvenile Court Services up to age 21 (SF412) signed by Governor April 24th

Juvenile court services may provide follow-up services for a child adjudicated to have committed a delinquent act upon the child reaching eighteen years of age until the child is twenty-one years of age, if the child and juvenile court services determine the child should remain under the guidance of a juvenile court officer. Follow-up services shall be made available to the child, as necessary, to meet the long-term needs of the child aging into adulthood.

27. Court Appointed Special Advocates and Confidentiality of Information of Foster Children (HF372/SF370)

Signed by Governor March 31st

The information and records of child who is receiving foster care or who is under the court's jurisdiction and the child's family when relating to services provided or the foster care placement are not public records, they are confidential. A court appointed special advocate may attend family team decision-making meetings or youth transition decision-making meetings upon request by the family or child and disclose case-related observations and recommendations relating to a child or a child's family while attending the meetings. A court appointed special advocate may disclose case-related observations and recommendations to the agency assigned by the court to supervise the case, to the county attorney, or to the child's legal representative or guardian ad litem.

28. Summary of SF510, Division XXIII, on Human Trafficking:

Human trafficking is now a forcible felony in Iowa, wherein convicted traffickers must serve a minimum of 70% of their maximum sentence prior to eligibility for parole/probation.

The Crime Victim Assistance Division of the Department of Justice, in cooperation with other governmental and NGO agencies, shall develop and conduct outreach, public awareness, and training programs for the general public, law enforcement agencies, and potential victims.

The Crime Victim Assistance Division may use up to \$300,000 annually from the victim compensation fund for training requirements including, outreach, public awareness, and training programs related to human trafficking.

A Human Trafficking Enforcement Fund is established in the Department of Justice. Money from the mortgage settlement fund (currently valued at \$726,000) shall be transferred into this fund. The money will be used for training local law enforcement, members of the state patrol, county attorneys, judicial officers, juvenile court officers and public safety answer point personnel about recognizing and reporting incidents of human trafficking. Any money remaining in the fund as of June 30, 2020 shall be transferred to the general fund.

SF510, DIVISION XXIII: - HUMAN TRAFFICKING (Source: <https://legiscan.com/IA/text/SF510/2015>)

Sec. 137. Section 702.11, subsection 1, Code 2015, is amended to read as follows: 1. A "forcible felony" is any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, human trafficking, arson in the first degree, or burglary in the first degree.

Sec. 138. NEW SECTION. 710A.6 Outreach, public awareness, and training programs. The crime victim assistance division of the department of justice, in cooperation with other governmental agencies and nongovernmental or community organizations, shall develop and conduct outreach, public awareness, and training programs for the general public, law enforcement agencies, first responders, potential victims, and persons conducting or regularly dealing with businesses or other ventures that have a high statistical incidence of debt bondage or forced labor or services. The programs shall train participants to recognize and report incidents of human trafficking and to suppress the demand that fosters exploitation of persons and leads to human trafficking.

Sec. 139. Section 915.94, Code 2015, is amended to read as follows: 915.94 Victim compensation fund. A victim compensation fund is established as a separate fund in the state treasury. Moneys deposited in the fund shall be administered by the department and dedicated to and used for the purposes of section 915.41 and this subchapter. In addition, the department may use moneys from the fund for the purpose of the department's prosecutor-based victim service coordination, including the duties defined in sections 910.3 and 910.6 and this chapter, and for the award of funds to programs that provide services and support to victims of domestic abuse or sexual assault as provided in chapter 236, to victims under section 710A.2, and for the support of an automated victim notification system established in section 915.10A. For each fiscal year, the department may also use up to three hundred thousand dollars from the fund to provide training for victim service providers, to provide training for related professionals concerning victim service programming, and to provide training concerning homicide, domestic assault, sexual assault, stalking, harassment, and human trafficking as required by section 710A.6.

Notwithstanding section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state.

Sec. 140. 2012 Iowa Acts, chapter 1138, section 7, subsection 1, is amended to read as follows: 1. A mortgage servicing settlement fund is established, separate and apart from all other public moneys or funds of the state, under the control of the department of justice. The department of justice shall deposit moneys received by the department from the joint state=federal mortgage servicing settlement into the fund. The department of justice is authorized to make expenditures of moneys in the fund consistent with the terms of the consent decree signed in federal court on April 5, 2012. Any unencumbered or unobligated moneys remaining in the fund on June 30, 2015, shall be transferred to the human trafficking enforcement fund as established by this 2015 Act.

Sec. 141. HUMAN TRAFFICKING ENFORCEMENT FUND. A human trafficking enforcement fund is established, separate and apart from all other public moneys or funds of the state, under the control of the department of justice. The department of justice shall deposit unencumbered or unobligated moneys transferred from the mortgage servicing settlement fund into the fund. Moneys in the fund are appropriated to the department of justice for purposes of training local law enforcement, members of the state patrol, county attorneys, judicial officers, juvenile court officers, and public safety answering point personnel about recognizing and reporting incidents of human trafficking. Any moneys remaining in the fund on June 30, 2020, shall be transferred to the general fund of the state.

Sec. 142. EFFECTIVE UPON ENACTMENT. The following provision of this division, being deemed of immediate importance, takes effect upon enactment: 1. The section of this division of this Act amending 2012 Iowa Acts, chapter 1138, section 7, subsection 1.

Sec. 143. RETROACTIVE APPLICABILITY. The following provision of this division, if approved by the governor on or after July 1, 2015, applies retroactively to June 30, 2015: 1. The section of this division of this Act amending 2012 Iowa Acts, chapter 1138, section 7, subsection 1.

2016

29. SF2191 Establishing an office within the Department of Public Safety to oversee efforts to combat human trafficking: Appropriations approved \$200,000 to fund this office! Signed by the Governor 4/7/16

- a. Serve as a point of contact for anti-human trafficking activity in this state.
- b. Consult with and work jointly with other governmental agencies and nongovernmental or community organizations that have expertise in the areas of human trafficking prevention, victim protection and assistance, law enforcement, and prosecution for the purpose of combatting human trafficking in this state.
- c. Develop a strategy to collect and maintain criminal history data on incidents related to human trafficking.
- d. Develop a strategy for sharing victim and offender data among governmental agencies.
- e. Apply for or assist other governmental agencies, as assistance is needed, to apply for grants to support human trafficking enforcement, prosecutions, trainings, and victim services.
- f. Research and recommend trainings to assist governmental agencies to identify and respond appropriately to human trafficking victims.

30. SF2288 Relating to the confidentiality of Juvenile court records in delinquency proceedings. Signed by the Governor 3/9/16

Official juvenile court records in all cases except those alleging the commission of a delinquent act that would be a forcible felony if committed by an adult shall be confidential and are not public records unless an order sealing such confidential records in a delinquency proceeding has been entered pursuant to section 232.150, confidential records may be inspected and their contents shall be disclosed to the following without court order , provided that a person or entity who inspects or receives a confidential record under this section shall not disclose the confidential record or its contents unless required by law.

31. SF2258 Concerning Child Welfare, including provisions relating to children under the custody, control and supervision of the Department of Human Services and provisions relating to children who are sex trafficking victims. Signed by the Governor 4/6/16

When a child is fourteen years of age or older, a written transition plan of services , supports, activities, and referrals to programs which, based upon an assessment of the child's needs, would assist the child in preparing for the transition from foster care to adulthood. The transition plan shall be personalized at the direction of the child and shall be developed with the child present, honoring the goals and concerns of the child, and shall address the following areas of

need: education, employment, health care, housing and relationships. If the needs assessment indicates the child is reasonably likely to need or be eligible for services or other support from the adult service system upon reaching age eighteen, the transition plan shall provide for the child's application for adult services. The transition plan shall be considered a working document and shall be reviewed and updated for each permanency hearing by the court or other formal case permanency plan review during a periodic case review, which shall occur at a minimum of once every six months.

- (1) Document the efforts to place a child permanently with a parent, relative, or in a guardianship or adoptive placement.
- (2) Document that the planned permanent living arrangement is the best permanency plan for the child and compelling reasons why it is not in the child's best interest to be placed permanently with a parent, relative, or in a guardianship or adoptive placement.
- (3) Document the steps the department is taking to ensure that a planned permanent living arrangement follows the reasonable and prudent parent standard.

If the department has reasonable cause to believe that a child under the placement, care, or supervision of the department is, or is at risk of becoming, a sex trafficking victim, the department shall do all of the following:

- a. Identify the child as a sex trafficking victim or at risk of becoming a sex trafficking victim and include documentation in the child's department records.
- b. Refer the child for appropriate services.
- c. Refer the child identified as a sex trafficking victim, within twenty-four hours, to the appropriate law enforcement agency having jurisdiction to investigate the allegation.

Reasonable and prudent parent standard — immunity from liability. The department, or any individual, agency, or juvenile shelter care home that applies the reasonable and prudent parent standard reasonably and in good faith in regard to a child in foster care shall have immunity from civil or criminal liability which might otherwise be incurred or imposed.

32. HF2278 An act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties. Signed by the Governor 3/30/16

- 1) An information or indictment for **kidnapping** in the first, second, or third degree committed on or with a person who is under the age of eighteen years shall be found within ten years after the person upon whom the offense is committed attains eighteen years of age, or if the person against whom the information or indictment is sought is identified through the use of a DNA profile, an information or indictment shall be found within three years from the date the person is identified by the person's DNA profile, whichever is later.
- 2) An information or indictment for **human trafficking** in violation of section 710A.2, committed on or with a person who is under the age of eighteen years shall be found within ten years after the person upon whom the offense is committed attains eighteen years of age, or if the person against whom the information or indictment is sought is identified through the use of a DNA profile, an information or indictment shall be found within three years from the date the person is identified by the person's DNA profile, whichever is later.
- 3) An indictment or information for a felony or aggravated or serious misdemeanor shall be found within three years after its commission.

2019

33. To increase permanency for foster care youth, the State of Iowa will access federal funding to implement the Guardianship Assistance Program to provide legal guardians financial assistance for the care of their relative children/youth. (Begins July 1, 2019)

2021

34. SF357 Youth ages 16-18 will wait in detention where they can receive rehabilitative services instead of an adult jail until they go to trial. Signed by the governor 4/30/021

2022

35. HF2507: DHS Prefile - passed the Senate unanimously; relating to juvenile justice, juvenile delinquency, child in need of assistance and family in need of assistance including juvenile justice reform. The bill amends Iowa Code as follows:

- Aligns with Federal law under Title IV-E of the Social Security Act; requires that to receive federal funding **the state shall consider giving preference to an adult relative over a nonrelated caregiver when determining a placement for the child** (42 U.S.C. §671(a)(19)).

- The bill revises the rules of construction for interpreting Code chapter 232 (juvenile justice) to double down on existing policy; **a court must secure the least restrictive care for the child's placement with a preference for placement with the child's family or fictive kin.**
- Adds language acknowledging that **removing a child from the child's family causes harm and must be weighed against the potential harm in allowing a child to remain with the child's family.**
- **Guardian Ad Litem (GAL) is required to be an attorney**, not a Court Appointed Special Advocate (CASA).
- Presumption that it is in the **best interest of children 10y/o and older to attend court** (from current age 14).
- The bill requires that **interactions (visits) between a child and the child's family continue regardless of a parent's failure to comply with requirements of the court or DHS**, provided there is no finding by a court or DHS that such interaction would be detrimental to the child.
- **Strengthens language around placing siblings together, when out of home placement is necessary.**
- Shifts responsibility for community delinquency programs for delinquent and at-risk youth and detention center funding to Juvenile Court Services, effective July 1, 2023.
- Shifts Juvenile Detention Home Fund to the Department of Human Rights, effective July 1, 2023.

36. HF2252: DHS bill that passed house 95-0 and Senate 48-0. This division strikes language from 237A.13 regarding a parent being absent 'for a limited period of time' due to a medical condition preventing them from working or caring for their children. **This will remove a long-standing barrier to a family being able to access child care assistance for a parent who is employed while the other parent in the home is permanently disabled.**

Amends Chapter 234, definition of child and payment language, **effectively increasing the upper age of foster care from 18 to 21.** Allows youth who are court ordered to foster care or a state institution to remain in foster care beyond age 18 up to their age 21, even if they are finished with their high school education. They could also exit at 18 and return to family foster care or Supervised Apartment Living, if they are under age 21 and it is approved by the department.

- Placement types limited to family foster care and Supervised Apartment Living.
- Youth would still need to cooperate with a service plan
- Youth who would be better served in the adult disability system would need to be referred there.

Division III

This bill requires **inclusion of sibling information in the adoption petition**, following a termination of parental rights under Chapter 232, and requires the development of a plan for ongoing sibling contact if it is in the best interest of the children, including siblings who are not placed together in the same household. If contact is not in the best interest of the child, the petition shall explain the reason there should be no contact. Applicable court orders, such as a finding contact is or is not in the best interest of the child, shall be included as applicable.

Any siblings of a child to be adopted should be provided a notice of the hearing, if they have not been placed together.

This amendment would require adult adoptees, who were adopted following a termination of parents' rights pursuant to Iowa Code Chapter 232, are given access to their juvenile court report and the termination of parental rights adoption records through the department after receipt of a court order. Procedures for adult adoptees who had their parental rights terminated subject to Iowa Code 600 (private adoptions) seeking their adoption records will remain unchanged.



Partnership of Iowa Foster Care Youth Councils