

ORDINANCE NO. 17-01  
PORTER COUNTY  
BOARD OF COMMISSIONERS  
AN ORDINANCE AMENDING  
ORDINANCE NO. 04-10

A NON-REVERTING FUND FOR THE RECEIPT OF COURT ORDERED DETENTION SERVICE FEES FOR THE PORTER COUNTY JUVENILE DETENTION CENTER

WHEREAS, I.C.. 36-1-3-2 grants the Board of County Commissioners all the powers that they need for the effective operation of government as to local affairs; and,

WHEREAS, I.C.. 36-1-3-6 states that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the Board of County Commissioner may adopt an ordinance prescribing a specific manner for exercising a power; and,

WHEREAS, the board of County Commissioners has deemed it necessary for the effective operation of government as to local affairs to create a special fund for the deposit of Court Ordered Detention Enhanced Services (CODES) fees received by the Porter County Juvenile Detention Center.

WHEREAS, I.C. 31-40-1-1 and I.C. 31-40-1-3 require the court to order the parent or guardian of an estate of a child adjudicated a delinquent child to pay for, or reimburse the county for the cost of services provided to the child or parent or guardian, unless the court finds that the parent or guardian is unable to pay or that justice would not be served by ordering payment from the parent or guardian.; and

WHEREAS, I.C. 31-40-1-3 requires the parent or guardian of an estate of a child adjudicated a delinquent child to furnish the court 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, in order for the Court to determine the extent of ability to pay.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED THAT:

Section 3.58.020, Per Diem Payable is hereby amended in the Porter County Code through the change as follows:

2. Section 3.58.020, the amount of reimbursement due shall be:

a. a maximum equal to the per diem rate established by the Porter County Board of commissioners for contracting; or

b. a lesser amount as determined by the court's use of the child support guidelines;

c. an amount set pursuant to Court Order to provide an alternative form of detention;

d. an amount set to provide diversionary programming (ie: Teen Court);

multiplied by each day or part of a day that the juvenile is lawfully detained and/or placed in an alternative form of detention and/or placed in diversionary programming.

This ordinance passed and adopted this 10 day of January, 2017

BOARD OF COMMISSIONERS  
PORTER COUNTY, INDIANA

John A. Evans

Jeff Good

Laura M. Blaney

Attest: Vicki Urbanik, Auditor

6/22, 6/29/17 - hspaxlp