

ORDINANCE NO. 12-24
PORTER COUNTY BOARD
OF COMMISSIONERS

AN ORDINANCE AMENDING ORDINANCE
NO. 04-10 AN ORDINANCE CREATING 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 Commissioners may adopt an
ordinance prescribing a specific manner for ex-
ercising a power; and

WHEREAS, the Board of County Commission-
ers 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; and

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 par-
ent 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 ac-
curately 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 de-
termine 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 changes as follows:

2. Section 3.58.020, Per Diem Payable

The amount of reimbursement due shall be

a. a maximum equal to the per diem rate estab-
lished by the Porter County Board of Commis-
sioners for contracting counties; 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;

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

This ordinance passed and adopted this 21st
day of August, 2012.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

John A. Evans

Nancy A. Adams

Carole M. Knoblock

Attest: Robert J. Wichlinski, Auditor

(October 19, 26, 2012)