

IC 34-37-4

Chapter 4. Official Finding of Death, Missing Person, or Other Status Issued by United States Officers

IC 34-37-4-1

Written finding of presumed death; evidentiary status

Sec. 1. A written finding of presumed death made by an officer or employee of the United States authorized to make such finding under:

- (1) the federal Missing Persons Act (50 U.S.C. App. 1001-17), before its repeal September 6, 1966;
- (2) 5 U.S.C. 5565 to 5567; or
- (3) 37 U.S.C. 555 to 557;

or a duly certified copy of such finding, shall be received in any court, office, or other place in Indiana as evidence of the death of the person found to be dead, and the date, circumstances and place of the person's disappearance.

As added by P.L.1-1998, SEC.33.

IC 34-37-4-2

Official reports of capture or missing in action; evidence

Sec. 2. An official written report or record, or a duly certified copy of a record or report:

- (1) that states that a person is:
 - (A) missing;
 - (B) missing in action;
 - (C) interned in a neutral country;
 - (D) beleaguered, besieged, or captured by an enemy;
 - (E) dead; or
 - (F) alive; and

- (2) that is made by any officer or employee of the United States authorized by the statute referred to in section 1 of this chapter or by any other law of the United States to make such a report or record;

shall be received in any court, office, or other place in Indiana as evidence that the person is missing, missing in action, interned in a neutral country, beleaguered, besieged, or captured by an enemy, dead, or alive.

As added by P.L.1-1998, SEC.33.

IC 34-37-4-3

Authority of employee or officer furnishing report

Sec. 3. For the purposes of sections 1 and 2 of this chapter, the following apply:

- (1) Any finding, report, or record, or duly certified copy of a report or record, purporting to have been signed by an officer or employee of the United States described in section 1 or 2 of this chapter, shall prima facie be considered to have been signed and issued by the officer or employee pursuant to law.
- (2) The person signing the finding, report, or record shall prima facie be considered to have acted within the scope of the

person's authority.

(3) If a copy purports to have been certified by a person authorized by law to certify the copy, the certified copy shall be prima facie evidence of the person's authority to certify.

As added by P.L.1-1998, SEC.33.