

## **IC 35-36-12**

### **Chapter 12. Court Appointed Forensic Advocate for Persons With Intellectual Disabilities, Developmental Disabilities, or Autism Spectrum Disorders**

#### **IC 35-36-12-1**

##### **Court appointment of forensic advocate**

Sec. 1. A court may appoint a court appointed forensic advocate at any time to assist a person with an intellectual disability, a developmental disability, or an autism spectrum disorder who has been charged with a criminal offense.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-2**

##### **Court appointed forensic advocate duties**

Sec. 2. A court appointed forensic advocate shall assist the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to whom the advocate has been appointed.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-3**

##### **Court appointed forensic advocate recommendations**

Sec. 3. A court appointed forensic advocate may recommend to the court treatment programs and other services that may reduce recidivism and are available to the person with an intellectual disability, a developmental disability, or an autism spectrum disorder.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-4**

##### **Court appointed forensic advocate term of service**

Sec. 4. A court appointed forensic advocate serves until the court enters an order for removal.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-5**

##### **Court appointed forensic advocate an officer of the court**

Sec. 5. The court appointed forensic advocate is considered an officer of the court for the purpose of assisting the person with an intellectual disability, a developmental disability, or an autism spectrum disorder.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-6**

##### **Court appointed special advocate assistance**

Sec. 6. A court appointed forensic advocate appointed by a court under this chapter may continue to assist the person with an intellectual disability, a developmental disability, or an autism

spectrum disorder while the person is undergoing treatment or serving the person's sentence, if applicable.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-7**

##### **Immunity from civil liability**

Sec. 7. Except for gross misconduct:

- (1) a court appointed forensic advocate;
- (2) an employee of a county court appointed forensic advocate program; and
- (3) a volunteer for a court appointed forensic advocate program;

who performs in good faith duties relating to assistance of a person with an intellectual disability, a developmental disability, or an autism spectrum disorder is immune from any civil liability that may occur as a result of that person's performance.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-8**

##### **User fee**

Sec. 8. The court may order the person assisted by the court appointed forensic advocate to pay a user fee to the:

- (1) court appointed forensic advocate program; or
- (2) individual who served as a court appointed forensic advocate;

for the services provided under this chapter.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-9**

##### **User fee collection**

Sec. 9. The court shall establish one (1) of the following procedures to be used to collect the user fee:

- (1) The court may order the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to pay the user fee to the court appointed forensic advocate program that provided the services.
- (2) The court may order the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to pay the user fee to the individual court appointed forensic advocate that provided the services.

*As added by P.L.187-2015, SEC.46.*

#### **IC 35-36-12-10**

##### **Receipt of user fee payment**

Sec. 10. If the court orders the person with an intellectual disability, a developmental disability, or an autism spectrum disorder to pay a user fee under this chapter, the program or the individual shall report to the court the receipt of payment not later than thirty (30) days after receiving the payment.

*As added by P.L.187-2015, SEC.46.*