

## STATEMENT OF PURPOSE

### RS26690

The Indian Child Welfare Act mandates that, in certain circumstances, state courts handling child protection cases must inquire whether the child is an Indian child. Specifically, this Act (commonly referred to as "ICWA") requires state courts to make such inquiry if the court has "reason to know" the child is an Indian child. Sections 16-1615, 16-1619, 16-1620, 16-1621, and 16-1622, of the Idaho Code, currently require Idaho courts to make this inquiry if there is "reason to believe" the child is an Indian child. In order to align Idaho's Child Protective Act with the less expansive federal standard, this bill amends the aforementioned code sections to change the "reason to believe" standard to the "reason to know" standard required by the ICWA.

### FISCAL NOTE

This proposed amendment will have no fiscal impact upon the General Fund, any other state fund, or local governments. In accordance with Joint Rule 18, the reason no fiscal impact is projected is because the amendment only changes the standard for when courts hearing child protection cases must inquire into whether the child is an Indian child, and it neither involves nor affects any government expenditure of revenue.

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**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).