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1. Any person having knowledge of the facts may file a complaint with the court or its designee alleging that a child has committed a delinquent act. A written record shall be maintained of any oral complaint received. Ask a criminal law question, get an answer ASAP!Click here to chat with a criminal defense lawyer and protect your rights. Terms Used In Iowa Code 232.28abuse: means :Child: includes but shall not be limited to a stepchild, foster child, or legally adopted child and means a child actually or apparently under eighteen years of age, and a dependent person eighteen years of age or over who is unable to maintain the person's self and is likely to become a public charge. See Iowa Code 252A.2Child: means any person under the age of eighteen years. See Iowa Code 232.68Complaint: A written statement by the plaintiff stating the wrongs allegedly committed by the defendant.Complaint: means an oral or written report which is made to the juvenile court by any person and alleges that a child is within the jurisdiction of the court. See Iowa Code 232.2Court: shall mean and include any court upon which jurisdiction has been conferred to determine the liability of persons for the support of dependents. See Iowa Code 252A.2Court: means the juvenile court established under section 602. See Iowa Code 232.2Custodian: means a stepparent or a relative within the fourth degree of consanguinity to a child who has assumed responsibility for that child, a person who has accepted a release of custody pursuant to subchapter IV, or a person appointed by a court or juvenile court having jurisdiction over a child. See Iowa Code 232.2Delinquent act: means :Dismissal: The dropping of a case by the judge without further consideration or hearing. Source: Evidence: Information presented in testimony or in documents that is used to persuade the fact finder (judge or jury) to decide the case for one side or the other.Guardian: A person legally empowered and charged with the duty of taking care of and managing the property of another person who because of age, intellect, or health, is incapable of managing his (her) own affairs.Guardian: means a person who is not the parent of a child, but who has been appointed by a court having jurisdiction over the child, to have a permanent self-sustaining relationship with the child and to make important decisions which have a permanent effect on the life and development of that child and to promote the general welfare of that child. See Iowa Code 232.21Informal adjustment: means the disposition of a complaint without the filing of a petition and may include but is not limited to the following:Intake: means the preliminary screening of complaints by an intake officer to determine whether the court should take some action and if so, what action. See Iowa Code 232.2Intake officer: means a juvenile court officer or other officer appointed by the court to perform the intake function. See Iowa Code 232.2Jurisdiction: (1) The legal authority of a court to hear and decide a case. Concurrent jurisdiction exists when two courts have simultaneous responsibility for the same case. (2) The geographic area over which the court has authority to decide cases.Parent: means a biological or adoptive mother or father of a child; or a father whose paternity has been established by one of the methods enumerated in section 252A. See Iowa Code 232.2person: means individual, corporation, limited liability company, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity. See Iowa Code 4.1Petition: means a pleading the filing of which initiates formal judicial proceedings in the juvenile court. See Iowa Code 232.2Probable cause: A reasonable ground for belief that the offender violated a specific law. 2. The court or its designee shall refer the complaint to an intake officer who shall consult with law enforcement authorities having knowledge of the facts and conduct a preliminary inquiry to determine what action should be taken. 3. In the course of a preliminary inquiry, the intake officer may: a. Interview the complainant, victim, or witnesses of the alleged delinquent act. b. Check existing records of the court, law enforcement agencies, public records of other agencies, and child abuse records as provided in section 235A.15, subsection 2, paragraph "e". c. Hold conferences with the child and the child's parent or parents, guardian, or custodian for the purpose of interviewing them and discussing the disposition of the complaint in accordance with the requirements set forth in subsection 8. d. Examine any physical evidence pertinent to the complaint. e. Interview such persons as are necessary to determine whether the filing of a petition would be in the best interests of the child and the community as provided in section 232.35, subsections 2 and 3. 4. Any additional inquiries may be made only with the consent of the child and the child's parent or parents, guardian, or custodian in a conference with an intake officer shall be voluntary, and they shall have the right to refuse to participate in such conference. At such conference the child shall have the right to the assistance of counsel in accordance with section 232.11 and the right to remain silent when questioned by the intake officer. 6. The intake officer, after consultation with the county attorney when necessary, shall determine whether the complaint is legally sufficient for the filing of a petition. A complaint shall be deemed legally sufficient for the filing of a petition if the facts as alleged are sufficient to establish the jurisdiction of the court and probable cause to believe that the child has committed a delinquent act. If the intake officer determines that the complaint is legally sufficient to support the filing of a petition, the officer shall determine whether the interests of the child and the public will best be served by the dismissal of the complaint, the informal adjustment of the complaint, or the filing of a petition. 7. If the intake officer determines that the complaint is not legally sufficient for the filing of a petition or that further proceedings are not in the best interests of the child or the public, the intake officer shall dismiss the complaint. 8. If the intake officer determines that the complaint is legally sufficient for the filing of a petition and that an informal adjustment of the complaint is in the best interests of the child and the community, the officer may make an informal adjustment of the complaint in accordance with section 232.29. 9. If the intake officer determines that the complaint is legally sufficient for the filing of a petition and that the filing of a petition is in the best interests of the child and the public, the officer shall request the county attorney to file a petition in accordance with section 232.35. Ask a criminal law question, get an answer ASAP!Click here to chat with a criminal defense lawyer and protect your rights. Section 232.1 - Rules of construction. Section 232.1A - Foster care placement — annual goal. Section 232.2 - Definitions. Section 232.3 - Concurrent court proceedings. Section 232.3A - Authority relating to action to overcome paternity in a child in need of assistance or termination of parental rights proceeding. Section 232.4 - Jurisdiction — support obligation. Section 232.5 - Abortion performed on a minor — waiver of notification proceedings. Section 232.6 - Jurisdiction — adoptions and terminations of parental rights. Section 232.7 - Iowa Indian child welfare Act. Section 232.7A - Rules of juvenile procedure. Section 232.7B - Applicability of this chapter prior to July 1, 1979. Section 232.8 - Jurisdiction. Section 232.9 - Motion for change of judge. Section 232.10 - Venue. Section 232.11 - Right to assistance of counsel. Section 232.12 - Duties of county attorney. Section 232.13 - State liability. 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Section 232.192 - Early intervention and follow-up programs. Section 232.193 Section 232.194 Section 232.195 - Runaway treatment plan. Section 232.196 - Runaway assessment center. 1. Any person having knowledge of the facts may file a complaint with the court or its designee alleging that a child has committed a delinquent act. A written record shall be maintained of any oral complaint received. 2. The court or its designee shall refer the complaint to an intake officer who shall consult with law enforcement authorities having knowledge of the facts and conduct a preliminary inquiry to determine what action should be taken. 3. In the course of a preliminary inquiry, the intake officer may: a. Interview the complainant, victim or witnesses of the alleged delinquent act. b. Check existing records of the court, law enforcement agencies and public records of other agencies. c. Hold conferences with the child and the child's parent or parents, guardian or custodian for the purpose of interviewing them and discussing the disposition of the complaint in accordance with the requirements set forth in subsection 8. d. Examine any physical evidence pertinent to the complaint. e. Interview such persons as are necessary to determine whether the filing of a petition would be in the best interests of the child and the community as provided in section 232.35, subsections 2 and 3. 4. Any additional inquiries may be made only with the consent of the child and the child's parent or parents, guardian, or custodian. 5. Participation of the child and the child's parent or parents, guardian, or custodian in a conference with an intake officer shall be voluntary, and they shall have the right to refuse to participate in such conference. At such conference the child shall have the right to the assistance of counsel in accordance with section 232.11 and the right to remain silent when questioned by the intake officer. 6. The intake officer, after consultation with the county attorney when necessary, shall determine whether the complaint is legally sufficient for the filing of a petition. A complaint shall be deemed legally sufficient for the filing of a petition if the facts as alleged are sufficient to establish the jurisdiction of the court and probable cause to believe that the child has committed a delinquent act. If the intake officer determines that the complaint is legally sufficient to support the filing of a petition, the officer shall determine whether the interests of the child and the public will best be served by the dismissal of the complaint, the informal adjustment of the complaint, or the filing of a petition. 7. 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[SS15, §254-a15; C24, 27, 31, 35, 39, §3621; C46, 50, 54, 58, 62, §232.5; C66, 71, 73, 75, 77, §232.3; C79, 81, §232.28; 82 Acts, ch 1209, §6, 7] 84; 2013 Acts, ch 42, §3; 2023 Acts, ch 19, §594 Referred to in §232.147, 235A.15, 915.26 Subsections 3, 4, and 5 amended