

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION**

NICOLE K. and ROMAN S., by next friend  
Linda R.; ABIGAIL R., LILY R., and  
RACHEL H., by next friend Nancy B.; and  
ANNA C., BRIAN P., AMELIA P.,  
ALEXA C., and ZACHARY H., by next  
friend Jessie R.; for themselves and those  
similarly situated,

Plaintiffs,

v.

MARION COUNTY, LAKE COUNTY,  
and SCOTT COUNTY, INDIANA

Defendants.

Case No.: 3:19-cv-00025-RLY-MPB

JURY TRIAL DEMANDED

**PLAINTIFFS' MOTION FOR CLASS CERTIFICATION  
AND APPOINTMENT OF CLASS COUNSEL**

Plaintiffs, by and through their attorneys of record, hereby respectfully move this Court for an Order certifying a class in this action and declaring that this action may be maintained as a class action for all purposes pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(2). Plaintiffs further move that Plaintiffs' counsel be appointed as class counsel. In support of this motion, Plaintiffs state as follows:

1. The proposed class is defined as: "all children who are in Child in Need of Services (CHINS) proceedings, pursuant to Indiana Code Title 31, Article 34, or Termination of Parental Rights (TPR) proceedings, pursuant to Indiana Code Title 31, Article 35, in any of the Defendant Counties and who do not have a licensed attorney of record to represent them in those proceedings"; and
2. The proposed class and its named representatives satisfy the requirements contained in Federal Rules of Civil Procedure 23(a) and 23(b)(2), as set forth more fully in Plaintiffs' Memorandum in Support of Plaintiffs' Motion for Class Certification and Appointment of Class Counsel, which is incorporated herein.

3. Plaintiffs' counsel will fairly and adequately represent the interests of the class pursuant to Fed. R. Civ. P. 23(g).

WHEREFORE, Plaintiffs respectfully request that the Court enter an Order certifying this case as a class action for all purposes, and appointing Plaintiffs' counsel as class counsel as further requested in the accompanying brief.

Dated: February 6, 2019

By: /s/ Kathleen A. DeLaney

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