

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 2457

4  
5 By: Representative Martin  
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## For An Act To Be Entitled

8  
9 AN ACT TO AMEND THE JUVENILE CODE; AND FOR OTHER  
10 PURPOSES.  
11

## Subtitle

12  
13 AN ACT TO AMEND THE JUVENILE CODE.  
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
17

18 SECTION 1. Arkansas Code §9-27-307 is amended as follows:  
19 9-27-307. Venue.

20 (a)(1) Except as set forth in subdivisions (a)(2)-~~(4)~~(5) of this  
21 section, a proceeding under this subchapter shall be commenced in the court  
22 of the county in which the juvenile resides.

23 (2) Proceedings may be commenced in the county where the alleged  
24 act or omission occurred in any of the following:

25 (A) Nonsupport after establishment of paternity;

26 (B) Delinquency; or

27 (C) Dependency-neglect.

28 (3) Proceedings under ~~the Uniform Child Custody Jurisdiction~~  
29 ~~Act, § 9-13-201 et seq. [repealed], or the Uniform Child-Custody Jurisdiction~~  
30 and Enforcement Act, § 9-19-101 et seq., shall be commenced in the court  
31 provided by each of those subchapters.

32 (4) Adoptions and guardianships may be filed in a juvenile court  
33 that has previously asserted continuing jurisdiction of the juvenile.

34 (5)(A) The judge of a circuit court may hear, adjudicate, or  
35 render any appropriate order with respect to any cause or matter pending in  
36 any juvenile proceeding over which he or she presides, subject to notice of



1 the time, place, and nature of the hearing being given as may be required by  
2 law, by rule, or by order of the court.

3 (B) Except for detention hearings under § 9-27-326 and  
4 probable cause hearings under § 9-27-315, no contested case may be tried  
5 outside the county of the venue unless the parties agree.

6 (b) Following adjudication, the court may on its own motion or on  
7 motion of any party transfer the case to the county of the juvenile’s  
8 residence when the provisions of ~~the Uniform Child Custody Jurisdiction Act,~~  
9 ~~§ 9-13-201 et seq. [repealed],~~ or the Uniform Child-Custody Jurisdiction and  
10 Enforcement Act, § 9-19-101 et seq., do not apply.

11  
12 SECTION 2. Arkansas Code § 9-27-316(g), concerning counsel for  
13 juveniles in dependency-neglect proceedings, is amended to read as follows:

14 (g)(1) The court may appoint a volunteer court-appointed special  
15 advocate from a program which shall meet all state and national court-  
16 appointed special advocate standards to advocate for the best interest of  
17 juveniles in dependency-neglect proceedings.

18 (2) No court-appointed special advocate shall be assigned a case  
19 before:

20 (A) Completing a training program in compliance with  
21 National Court Appointed Special Advocate Association and state standards;  
22 and

23 (B) Being approved by the local court-appointed special  
24 advocate program which will include appropriate criminal background and child  
25 abuse registry checks.

26 (3) Each court-appointed special advocate shall:

27 (A)(i) Investigate the case to which he or she is assigned  
28 to provide independent factual information to the court through the attorney  
29 ad litem, ~~or through~~ court testimony, ~~and or~~ or court reports.

30 (ii) The court-appointed special advocate may  
31 testify if called as a witness.

32 (iii) When the court-appointed special advocate  
33 prepares a written report for the court, the advocate shall provide all  
34 parties or the attorney of record with a copy of the written report seven (7)  
35 business days prior to the relevant hearing; and

36 (B) Monitor the case to which he or she is assigned to

1 ensure compliance with the court's orders.

2 ~~(C) Assist the attorney ad litem in representing the~~  
3 ~~juvenile's best interests.~~

4 (4) Upon presentation of an order of appointment, a court-  
5 appointed special advocate shall be provided access to all records relevant  
6 to the juvenile's case, including, but not limited to, school records,  
7 medical records, juvenile court records, and department records to the extent  
8 permitted by federal law.

9 (5) A court-appointed special advocate is not a party to the  
10 case to which he or she is assigned and shall not call witnesses or examine  
11 witnesses.

12 (6) A court-appointed special advocate shall not be liable for  
13 damages for personal injury or property damage, pursuant to § 16-6-101 et  
14 seq.

15 (7) Except as provided by this subsection, a court-appointed  
16 special advocate shall not disclose any confidential information or reports  
17 to anyone except as ordered by the court or otherwise provided by law.

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