

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
4

A Bill

HOUSE BILL 2471

5 By: Representative Martin
6
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For An Act To Be Entitled

9 AN ACT CONCERNING ADOPTIONS AND JUVENILE
10 PROCEEDINGS SUBSEQUENT TO PASSAGE OF AMENDMENT
11 80; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 AN ACT CONCERNING ADOPTIONS AND JUVENILE
16 PROCEEDINGS SUBSEQUENT TO PASSAGE OF
17 AMENDMENT 80.
18
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 9-9-217(a)(2)(B), concerning adoptions and
23 juvenile proceedings subsequent to passage of Amendment 80, is amended to
24 read as follows:

25 (B) When an adoption is filed or heard ~~in the juvenile~~
26 ~~division of the chancery court~~ pursuant to §§ 9-27-301 - 9-27-345, any
27 portion of the court file relating to the adoption shall be maintained
28 separately from the file of other pending juvenile ~~court~~ matters concerning
29 the juvenile who is the subject of the adoption or the family of the
30 juvenile. Once final disposition is made in the adoption proceedings, the
31 adoption file shall be transferred from the clerk who is the custodian of
32 juvenile records ~~of the juvenile division of the chancery court~~ to the clerk
33 who is the custodian of records ~~of the probate court~~. The entry of the
34 adoption decree will ~~not be entered in the juvenile court order book, but~~
35 will be entered by the clerk of the probate court in the probate court order
36 book in the book containing adoption records. The ~~probate~~ clerk shall assign



1 the file a docket number, shall prepare an application for a new birth record
2 as provided herein, and shall maintain the file as if the case had originated
3 ~~in probate court~~ as an adoption case. No filing fee shall be assessed by the
4 clerk ~~of the probate court~~ upon the transfer and creation of the ~~probate~~ new
5 adoption file. Any adoption record ~~currently in the custody of the clerk of~~
6 ~~the chancery court~~ shall be transferred to the clerk of the probate court, to
7 be handled as provided herein.

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9 SECTION 2. Arkansas Code § 9-27-303(11), concerning definitions in the
10 Juvenile Code, is amended to read as follows:

11 (11) "Court" ~~or "juvenile court"~~ means the juvenile division of
12 ~~chancery circuit~~ court;

13
14 SECTION 3. Arkansas Code § 9-27-306 is amended to read as follows:
15 9-27-306. Jurisdiction.

16 (a) The juvenile circuit court shall have exclusive original
17 jurisdiction of and shall be the sole court for the following proceedings
18 governed by this subchapter including, but not limited to:

19 (1) Proceedings in which a juvenile is alleged to be delinquent
20 or dependent-neglected as defined in this subchapter;

21 (2) Proceedings in which a family is alleged to be in need of
22 services as defined in this subchapter;

23 (3) Proceedings for termination of parental rights for a
24 juvenile who is under the jurisdiction of the juvenile circuit court; and

25 (4) Proceedings in which custody of a juvenile is transferred to
26 the Department of Human Services.

27 ~~(b) The juvenile court shall have exclusive jurisdiction of the~~
28 ~~following matters, governed by other law, that arise during the pendency of~~
29 ~~original proceedings under subsection (a) of this section and involve the~~
30 ~~same juvenile;~~

31 ~~(1) Adoptions under the Revised Uniform Adoption Act, § 9-9-201~~
32 ~~et seq.;~~

33 ~~(2) Guardianships under § 28-65-201 et seq.; or~~

34 ~~(3) Uniform Interstate Family Support Act proceedings, § 9-17-~~
35 ~~101 et seq.~~

36 ~~(c) The juvenile court shall have concurrent jurisdiction with probate~~

1 ~~court for civil commitment of juveniles.~~

2 ~~(d) The juvenile court shall have concurrent jurisdiction with the~~
3 ~~chancery court for proceedings for the establishment of paternity, custody,~~
4 ~~visitation, or support of a juvenile alleged to be illegitimate.~~

5 ~~(e)(1) The juvenile court shall have concurrent jurisdiction with~~
6 ~~municipal court for juvenile curfew ordinance violations.~~

7 ~~(2) The prosecuting authority may file a family in need of~~
8 ~~services petition in juvenile court or a citation in municipal court.~~

9 (b) The assignment of cases to the juvenile division of circuit
10 court shall be as described by the Arkansas Supreme Court in Administrative
11 Order Number 14.

12 (c)(1) The circuit court shall have concurrent jurisdiction with
13 the district court over juvenile curfew violations.

14 (2) For juvenile curfew violations, the prosecutor may file
15 a FINS petition in circuit court or a citation in district court.

16 ~~(f)(d)~~ The juvenile circuit court shall have jurisdiction to hear
17 proceedings commenced in any court of this state or court of comparable
18 jurisdiction of another state which are transferred to it pursuant to the
19 Uniform Child Custody Jurisdiction and Enforcement Act, § 9-19-101 et seq.

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