

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 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1330

5 By: Representative J. Edwards
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS CODE CONCERNING
10 EXTENDED JUVENILE JURISDICTION; AND FOR OTHER
11 PURPOSES.
12

Subtitle

13 TO AMEND THE ARKANSAS CODE CONCERNING
14 EXTENDED JUVENILE JURISDICTION.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 9-27-507(c), concerning extended juvenile
21 jurisdiction court review hearing, is amended to read as follows:

22 (c)(1) The juvenile may petition the court to review and modify the
23 disposition at any time.

24 (2) If the juvenile's initial petition is denied, the juvenile
25 must wait one (1) year from the date of the denial to file a new petition for
26 modification or demonstrate a material change in circumstances that warrants
27 additional review by the court.
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29 SECTION 2. Arkansas Code § 9-27-509 is amended to read as follows:

30 9-27-509. Division of Youth Services – Commitment of extended juvenile
31 jurisdiction juveniles.

32 (a) The court has sole release authority for juveniles in extended
33 juvenile jurisdiction proceedings.

34 (b) In every case in which an order of commitment has been entered
35 ~~pursuant to~~ under an adjudication of delinquency, the facility to which the
36 juvenile is committed shall, within thirty (30) days of the juvenile's



1 commitment, prepare and file with the court a treatment case plan that shall:

2 (1) State the treatment plan for the juvenile; and

3 (2) State the anticipated length of commitment of the juvenile.

4 (c)(1)(A) Upon determination that the juvenile has ~~been~~ completed
5 treatment and is likely to be rehabilitated, the Division of Youth Services
6 of the Department of Human Services may petition the court for ~~release~~
7 reintegration into the community.

8 (B) The petition shall allege facts supporting the
9 juvenile's readiness for reintegration and the availability of appropriate
10 programming and supervision in the community where the juvenile resides.

11 (C) A detailed reintegration plan shall be attached to any
12 petition for reintegration identifying therapeutic goals for the juvenile and
13 prescribing services to advance rehabilitation and protect the public safety.

14 (D) A hearing on the reintegration petition shall be held
15 within sixty (60) days of the filing of the petition and may coincide with
16 any review or other hearing in the juvenile's case.

17 (2) The court shall ~~conduct a hearing and shall~~ consider the
18 following factors in making its determination to ~~release~~ reintegrate the
19 juvenile ~~from the division~~ into the community:

20 (A) The experience and character of the juvenile before
21 and after the juvenile disposition, including compliance with the court's
22 orders;

23 (B) The nature of the offense or offenses and the manner
24 in which they were committed;

25 (C) The recommendations of the professionals who have
26 worked with the juvenile;

27 (D) The protection of public safety; ~~and~~

28 (E) Opportunities provided to the juvenile for
29 rehabilitation and the juvenile's efforts toward rehabilitation; ~~and~~

30 (F) The availability of community based services that will
31 meet the therapeutic needs of the juvenile.

32 (3)(A) The court shall ~~release~~ order reintegration of the
33 juvenile upon a finding by a preponderance of the evidence that the
34 ~~juvenile's release~~ juvenile does not pose a substantial threat to public
35 safety.

36 (B) The division shall provide necessary services during

1 the reintegration period as prescribed in the reintegration plan unless the
2 juvenile will reach twenty-one (21) years of age before the expiration of the
3 reintegration period or unless otherwise ordered by the court.

4 (C) This subsection does not limit the court's ability to
5 place a juvenile on probation during or after the reintegration period.

6 (4) Upon expiration of the reintegration period and final review
7 of the court, the court may:

8 (A) Release the juvenile from the division;

9 (B) Extend the reintegration period;

10 (C) Revoke reintegration to permit the division to return
11 the juvenile to residential treatment or detention; or

12 (D) Impose the full range of adult sentencing available in
13 circuit court under § 9-27-507.

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