

"AN ACT TO AUTHORIZE THE ARKANSAS DEPARTMENT OF HUMAN SERVICES TO CHARGE A REASONABLE FEE FOR COURT-ORDERED INVESTIGATIONS OR STUDIES INVOLVING A CHILD OR CHILDREN FOR WHOM THE DEPARTMENT IS NOT OTHERWISE PROVIDING SERVICES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Definitions.

"Department" means the Arkansas Department of Human Services.

"Child" means a person under the age of eighteen (18).

"Investigation" means process of obtaining a home study, home report, home assessment, home evaluation, or marital study.

"Study" means home study, home report, home assessment, home evaluation, or marital study.

"Supervision" means periodic visitation to the home or school or other places for monitoring or observation to determine a child's situation or condition or to regulate or facilitate visitation and may include court appearances to provide testimony on same.

"Regulations" means regulations duly promulgated by the Department for the purpose of implementing this Act pursuant to Act 434 of 1967, as amended, the Administrative Procedure Act.

SECTION 2. If a court of the State of Arkansas requests or orders the Department or any other qualified person of the court's choice to perform any investigation, study or supervision involving the custody, placement, adoption, or other pertinent matter, with regard to a child or children for whom the Department or other qualified person selected by the court is not currently otherwise providing services, the Department or other qualified person selected by the court may recommend a fee, in amounts to be determined by regulations promulgated by the Department but not to exceed the actual costs of the investigation, study or supervision. The court shall determine the reasonableness of the fee, if any, and specify the party or parties responsible for payment of such a fee, and may grant a reasonable period of time for payment after investigating their ability to pay.

SECTION 3. If payment is not made within the established timeframe as set forth in the court order or as prescribed by regulations, the obligation shall be considered a delinquent debt, as defined by regulation, and the Department may recover the fee as provided by law for the recovery of a debt.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: April 14, 1987

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