

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H2/5/01 S3/2/01

A Bill

HOUSE BILL 1550

5 By: Representatives Jones, Carson, J. Elliott, Judy
6 By: Senators Mahony, Faris, P. Malone, *Webb*
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For An Act To Be Entitled

10 AN ACT TO AMEND ARKANSAS CODE 9-27-401 OF THE JUVENILE
11 CODE TO PROVIDE COUNSEL FOR INDIGENT PARENTS OR
12 GUARDIANS IN DEPENDENCY-NEGLECT CASES; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 AN ACT TO AMEND ARKANSAS CODE 9-27-401
16 OF THE JUVENILE CODE TO PROVIDE COUNSEL
17 FOR INDIGENT PARENTS OR GUARDIANS IN
18 DEPENDENCY-NEGLECT CASES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 9-27-401, concerning representation of
25 children and parents in dependency-neglect proceedings, is amended by adding
26 the following new subsection:

27 (d) Creation of Statewide Indigent Parent Counsel.

28 (1) The Director of the Administrative Office of the Courts is
29 authorized to establish a program to represent indigent parents or guardians
30 in dependency-neglect cases.

31 (2) The juvenile court judge shall appoint counsel in compliance
32 with federal law and § 9-27-316(h) in all proceedings to remove custody or to
33 terminate parental rights.

34 (3) The Arkansas Supreme Court, with advice of the juvenile
35 division judges, shall adopt standards of practice and qualifications for
36 service for attorneys who seek to be appointed to provide legal representation

1 for indigent parents or guardians in dependency-neglect cases.

2 (4) When attorneys are appointed under subdivision (d)(2) of this
3 subsection, the fees for services and reimbursable expenses shall be paid from
4 funds appropriated for that purpose to the Administrative Office of the
5 Courts.

6 (5) When a juvenile judge orders the payment of funds for the
7 fees and expenses authorized by this subsection, the judge shall transmit a
8 copy of the order to the Administrative Office of the Courts, which is
9 authorized to pay the funds.

10 (6) The court may also require the parties to pay all or a
11 portion of the expenses, depending on the ability of the parties to pay.

12 (7) The Administrative Office of the Courts shall establish
13 guidelines to provide a maximum amount of expenses and fees per hour and per
14 case which will be paid under this section.

15 (8) In order to ensure that each judicial district will have an
16 appropriate amount of funds to utilize indigent parent or guardian
17 representation in dependency-neglect cases, the funds appropriated shall be
18 apportioned based upon a formula developed by the Administrative Office of the
19 Courts and approved by the Juvenile Judges Committee of the Arkansas Judicial
20 Council.

21 */s/ Jones*

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