

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 18

5 By: Senator A. Clark  
6 By: Representatives Gates, Hammer  
7

## For An Act To Be Entitled

9 AN ACT TO REQUIRE THE APPOINTMENT OF PARENT COUNSEL  
10 IN A PROCEEDING TO TERMINATE PARENTAL RIGHTS; TO  
11 AMEND THE STATE CENTRAL SERVICES FUND; AND FOR OTHER  
12 PURPOSES.  
13  
14

## Subtitle

15 TO REQUIRE THE APPOINTMENT OF PARENT  
16 COUNSEL IN A PROCEEDING TO TERMINATE  
17 PARENTAL RIGHTS; AND TO AMEND THE STATE  
18 CENTRAL SERVICES FUND.  
19  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 9-27-316(h)(1)(D), concerning right to  
25 counsel, is amended to read as follows:

26 (D) All parents shall have the right to be appointed  
27 counsel in termination of parental rights hearings, and the court shall  
28 appoint counsel if the court makes a finding that the parent is ~~indigent~~ not  
29 represented by an attorney and counsel is requested by the parent.  
30

31 SECTION 2. Arkansas Code § 9-27-341(a), concerning termination of  
32 parental rights, is amended to add an additional subdivisions to read as  
33 follows:

34 (5)(A) Under § 9-27-316, at the request of the parent, the court  
35 shall appoint counsel for the parent when the parent is not represented by an  
36 attorney in a proceeding to terminate parental rights under this section.



1                   (B) The court shall inform the parent in subdivision  
2 (5)(A) of this section that he or she may request counsel to be appointed by  
3 the court.  
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5           SECTION 3. Arkansas Code § 19-5-205(e)(1)(B), concerning the sources  
6 of funds for the State Central Services Fund, is amended to add an additional  
7 subdivision to read as follows:

8                   (xviii)(a) Grants made available by a person or  
9 federal government or any other funds made available to the Administrative  
10 Office of the Courts to be used exclusively for parent counsel for  
11 termination of parental rights proceedings as provided in §§ 9-27-  
12 316(h)(1)(D) and 9-27-341(a)(5)(A).

13                   (b) Moneys remaining at the end of each fiscal  
14 year in the State Central Services Fund that were provided for parent counsel  
15 for termination of parental rights proceedings shall carry forward and be  
16 made available for the purposes stated in §§ 9-27-316(h)(1)(D) and 9-27-341  
17 (a)(5)(A).