

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1736

5 By: Representative Furman
6 By: Senator K. Hammer
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE RIGHT OF A
10 JUVENILE TO REMAIN IN FOSTER CARE AFTER REACHING THE
11 AGE OF MAJORITY; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND THE LAW CONCERNING THE RIGHT OF
16 A JUVENILE TO REMAIN IN FOSTER CARE AFTER
17 REACHING THE AGE OF MAJORITY.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 9-27-306(a)(1)(B)(ii), concerning the
23 jurisdiction of the court under the Arkansas Juvenile Code of 1989, is
24 amended to read as follows:

25 (ii) A juvenile may contact his or her attorney ad
26 litem to petition the court to return to the court's jurisdiction ~~to receive~~
27 ~~independent living or transitional services~~ if the juvenile:

28 (a) Was adjudicated dependent or dependent-
29 neglected;

30 (b) Was in foster care at eighteen (18) years
31 of age;

32 (c) Left foster care but desires to submit to
33 the jurisdiction of the court before reaching twenty-one (21) years of age to
34 benefit from ~~independent living or transitional services~~ extended foster
35 care; or and

36 (d) ~~Left foster care and decides to submit to~~



1 ~~the jurisdiction of the court and return to foster care to receive~~
 2 ~~transitional services~~ Had his or request to reenter extended foster care
 3 denied by the department under § 9-28-114;
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5 SECTION 2. Arkansas Code § 9-27-306(f), concerning the jurisdiction of
 6 the court under the Arkansas Juvenile Code of 1989, is amended to read as
 7 follows:

8 (f) If a juvenile over eighteen (18) years of age who is allowed to
 9 reenter extended foster care fails to be engaged in or have a viable plan to
 10 ~~participate in a course of instruction or treatment or is not working at~~
 11 ~~least eighty (80) hours per month toward gaining self-sufficiency~~ meet the
 12 requirements in subdivision (a)(1)(B)(i)(a) of this section or have a viable
 13 plan to meet the requirements of subdivision (a)(1)(B)(i)(a) of this section
 14 for more than sixty (60) days, the department may file a motion to terminate
 15 the jurisdiction of the court and discharge the juvenile from foster care.
 16

17 SECTION 3. Arkansas Code § 9-27-363(b)(2), concerning foster youth
 18 transition under the Arkansas Juvenile Code of 1989, is amended to read as
 19 follows:

20 (2) The plan shall include without limitation written
 21 information and confirmation concerning:

22 (A) The juvenile's right to stay in foster care after
 23 reaching eighteen (18) years of age for education, treatment, or work and
 24 specific programs and services, including without limitation the John H.
 25 Chafee Foster Care Program for Successful Transition to Adulthood ~~and other~~
 26 ~~transitional services; and~~

27 (B) The juvenile's right to remain in extended foster care
 28 after reaching eighteen (18) years of age if the juvenile is:

29 (i) Completing secondary education or a program
 30 leading to an equivalent credential;

31 (ii) Enrolled in an institution that provides post-
 32 secondary or vocational education;

33 (iii) Participating in a program or activity
 34 designed to promote or remove barriers to employment;

35 (iv) Employed for at least eighty (80) hours per
 36 month; or

1 (v) Incapable of doing one (1) or more of the
 2 activities listed in subdivisions (b)(2)(B)(i)-(v) of this section due to a
 3 medical condition, which incapability is supported by regularly updated
 4 information in the case plan of the juvenile; and

5 (C) The juvenile’s case, including his or her biological
 6 family, foster care placement history, tribal information, if applicable, and
 7 the whereabouts of siblings, if any, unless a court determines that release
 8 of information pertaining to a sibling would jeopardize the safety or welfare
 9 of the sibling.

10
 11 SECTION 4. Arkansas Code § 9-28-114(a)(3), concerning foster youth
 12 transition, is amended to add additional subdivisions to read as follows:

13 (F) Offer an extended foster care program that provides:

14 (i) Case management services and supports; and

15 (ii) Financial assistance with room and board costs

16 for a juvenile who:

17 (a) Was adjudicated dependent or dependent-
 18 neglected;

19 (b) Was in foster care at eighteen (18) years
 20 of age but is not yet twenty-one (21) years of age or such other age as may
 21 be required under federal law;

22 (c) Wishes to participate in extended foster
 23 care to benefit from the program; and

24 (d) Is:

25 (1) Completing secondary education or a
 26 program leading to an equivalent credential;

27 (2) Enrolled in an institution that
 28 provides post-secondary or vocational education;

29 (3) Participating in a program or
 30 activity designed to promote or remove barriers to employment;

31 (4) Employed for at least eighty (80)
 32 hours per month; or

33 (5) Incapable of doing any of the
 34 activities listed in subdivisions (a)(3)(F)(ii)(d)(1)-(4) of this section due
 35 to a medical condition, which incapability is supported by regularly updated
 36 information in the case plan of the juvenile;

