

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of Senate Bill 325

TO AMEND THE ARKANSAS JUVENILE CODE OF 1989; TO AMEND THE CHILD
MALTREATMENT ACT; TO AMEND THE LAW REGARDING REINSTATEMENT OF
PARENTAL RIGHTS; AND TO AMEND THE LAW REGARDING THE CHILD
MALTREATMENT CENTRAL REGISTRY.

Amendment No. 2 to Senate Bill 325

Amend Senate Bill 325 as originally introduced:

Page 1, delete lines 29 through 36, and substitute the following:

"(a) ~~The Department of Human Services or an attorney ad litem may file a motion to resume services for a parent whose parental rights were previously terminated under this subchapter if~~ following may file a motion to resume services for a parent whose parental rights were previously terminated under this subchapter:

(1) ~~The child~~ Department of Human Services+;

~~(A) Is not currently in the custody of the department;~~

~~(B) Is not in an adoptive placement, a pre-adoptive placement, or under another permanent placement and there is some evidence that the juvenile is not likely to achieve permanency within a reasonable period of time as viewed from the child's perspective; or~~

~~(C) Was previously adopted, appointed a permanent guardian, or placed in the permanent custody of another individual and the adoption, guardianship, or custodial placement was disrupted or otherwise dissolved; and~~

~~(2)(A) The order terminating the parental rights of the parent who is the subject of a motion filed under this section was entered at least three (3) years before the date on which the motion to resume services was filed~~ An attorney ad litem+; or



~~(B) The three year waiting period may be waived if it is in the best interest of the child.~~

(3) A parent whose parental rights were previously terminated, if the Executive Director of the Arkansas Commission for Parent Counsel believes there is good cause to resume services and assign court-appointed counsel to represent the parent."

AND

Page 2, delete lines 1 through 22, and substitute the following:

"(b)(1) A motion may be filed under this section shall identify and name as a party the parent for whom services would resume if the child:

(A) Is currently in the custody of the department;

(B) Is not in an adoptive placement, a pre-adoptive placement, or under another permanent placement and there is some evidence that the juvenile is not likely to achieve permanency within a reasonable period of time as viewed from the child's perspective; or

(C) Was previously adopted, appointed a permanent guardian, or placed in the permanent custody of another individual and the adoption, guardianship, or custodial placement was disrupted or otherwise dissolved; and

(2)(A) A parent shall not be named as a party to a motion filed under this section The order terminating the parental rights of the parent who is the subject of a motion filed under this section was entered at least two (2) years before the date on which the motion to resume services was filed.

(B) The two-year waiting period may be waived if the waiver is in the best interest of the child.

~~(3) The petitioner shall serve the parent who is the subject of a motion filed under this section with the motion.~~

~~(4) A parent who is the subject of a motion filed under this section shall have the right to be heard at a hearing on the motion.~~

(c)(1) A motion filed under this section shall:

(A) Be filed as a new juvenile case;

(B) Identify and name as a party the parent for whom services would resume.

(d) The court may appoint an attorney to represent the parent subject to the resumption of services motion."

AND

Page 3, delete lines 14 through 16, and substitute the following:

"(a) The Department of Human Services, ~~or~~ an attorney ad litem, or a parent who is represented by parent counsel under § 9-27-369(a) may file a petition to reinstate the parental rights"

AND

Page 6, delete line 20, and substitute the following:

"(D) Neglect, if the neglect occurred in the course of employment as a:"

AND

Page 7, delete lines 1 through 10, and substitute the following:

"vulnerable population in a professional or caretaking capacity; and

(E)(i) Neglect, when a court finds the child to be a dependent-neglected juvenile because of the neglect.

(ii) Should reunification be achieved, the parent shall be removed from the registry if there are no additional true investigative determinations and it has been more than one (1) year since reunification."

AND

Page 7, line 12, delete "of neglect or"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator A. Clark

LJH/LJH - 03-17-2025 03:33:07

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Secretary