

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Harriman

A Bill

SENATE BILL 9

For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT CHANCERY COURTS MAY NOT TERMINATE
9 PARENTAL RIGHTS WHEN THE PARTIES TO THE ACTION ARE ALSO
10 PARTIES TO A JUVENILE DIVISION OF CHANCERY COURT ACTION IN
11 WHICH CASE THE JUVENILE DIVISION SHALL HAVE EXCLUSIVE
12 JURISDICTION OVER TERMINATION OF PARENTAL RIGHTS; AND FOR
13 OTHER PURPOSES."

Subtitle

16 "CHANCERY COURTS MAY NOT TERMINATE
17 PARENTAL RIGHTS WHEN THE PARTIES ARE
18 ALSO PARTIES TO A JUVENILE DIVISION OF
19 CHANCERY COURT ACTION."

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

24 SECTION 1. Arkansas Code 16-13-304 is amended by inserting an
25 additional subsection at the end thereof to read as follows:

26 "(c) Chancery Courts shall have the power to terminate parental rights
27 in matters properly before the Chancery Court, except when the parties to the
28 Chancery Court action are also parties to a Juvenile Division of Chancery
29 Court action, then the Juvenile Division for the Chancery Court shall have
30 exclusive jurisdiction over termination of parental rights. In all
31 proceedings involving the termination of parental rights before the chancery
32 court, the court shall appoint a guardian ad litem to represent the best
33 interest of the juvenile and to advocate for the juvenile's articulated
34 wishes."

1 SECTION 2. Arkansas Code 16-13-603 (a) (1) is amended to read as
2 follows:

3 "(a) (1) The juvenile division of the chancery court shall be a trial
4 court with original and exclusive jurisdiction in the counties in which it
5 sits, of all juvenile dependency-neglect matters, families in need of
6 services, juvenile delinquency, bastardy, and such other juvenile matters as
7 may be provided by law and concurrent jurisdiction over termination of
8 parental rights."

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10 SECTION 3. All provisions of this act of a general and permanent
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
12 Code Revision Commission shall incorporate the same in the Code.

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14 SECTION 4. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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20 SECTION 5. All laws and parts of laws in conflict with this act are
21 hereby repealed.

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/s/Harriman

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As Engrossed: 1/24/95 2/21/95

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