

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 671

4
5 By: Senator Harriman

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 9-27-343
10 CLARIFYING WHEN APPEALS MAY BE TAKEN IN CASES INVOLVING
11 OUT-OF-HOME PLACEMENT; AND FOR OTHER PURPOSES."

Subtitle

14 "CLARIFYING WHEN APPEALS MAY BE TAKEN IN
15 CASES INVOLVING OUT-OF-HOME PLACEMENT"

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

19 SECTION 1. Arkansas Code Annotated § 9-27-343 is amended to read as
20 follows:

21 "9-27-343. Appeals.

22 (a) All appeals from juvenile court shall be made to the Arkansas
23 Supreme Court or to the Arkansas Court of Appeals in the same time and manner
24 provided for appeals from chancery court.

25 (b) In delinquency cases, the petitioner may appeal only under those
26 circumstances that would permit the state to appeal in criminal proceedings.

27 (c) In any case involving out-of-home placement, if a final decision
28 from the appellate court is not rendered within six (6) months from the date
29 of entry of the notice of appeal, ~~the Director of the Administrative Office of~~
30 ~~the Courts shall designate either a foster-care magistrate or a juvenile judge~~
31 ~~of another court to conduct a review of the case as required under this~~
32 ~~subchapter. The magistrate or judge may order appropriate family services for~~
33 ~~the juvenile upon review~~ the six-month review hearing required under this
34 subchapter shall be conducted in a timely manner by the court which rendered
35 the decision.

36 (d) In any case involving out-of-home placement, orders resulting from

1 the hearings set out below are final, appealable orders. Each of the
 2 following orders represents a critical stage in determining permanency for a
 3 child in an out-of-home placement, each establishing either a permanent
 4 placement or a course of action leading to a permanent placement, and each
 5 resulting in potentially life-altering decisions for the children and parents
 6 involved:

- 7 (1) adjudication hearings;
- 8 (2) disposition hearings;
- 9 (3) permanency planning hearings;
- 10 (4) any review hearing subsequent to a permanency planning
 11 hearing."

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13 SECTION 2. All provisions of this act of a general and permanent nature
 14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 15 Revision Commission shall incorporate the same in the Code.

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17 SECTION 3. If any provision of this act or the application thereof to
 18 any person or circumstance is held invalid, such invalidity shall not affect
 19 other provisions or applications of the act which can be given effect without
 20 the invalid provision or application, and to this end the provisions of this
 21 act are declared to be severable.

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23 SECTION 4. All laws and parts of laws in conflict with this act are
 24 hereby repealed.

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