1 State of Arkansas

A Bill

2 83rd General Assembly

3 Regular Session, 2001   SENATE BILL   146

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5 By: Senator Everett

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8   **For An Act To Be Entitled**

9   AN ACT TO AMEND ARKANSAS CODE 9-27-330 AND 9-27-332 TO

10   SPECIFY THAT JUVENILES ADJUDICATED DELINQUENT OR IN

11   FAMILIES IN NEED OF SERVICES CASES MAY BE ORDERED TO

12   ATTEND VOCATIONAL TRAINING OR WORKFORCE PREPARATION

13   CLASSES; AND FOR OTHER PURPOSES.

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15   **Subtitle**

16   TO CLARIFY THAT JUVENILES ADJUDICATED

17   DELINQUENT MAY BE ORDERED TO ATTEND

18   VOCATIONAL TRAINING OR WORKFORCE PREP

19   CLASSES.

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

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24   SECTION 1. Arkansas Code 9-27-330(a)(4), concerning the court orders in

25 disposition of juvenile delinquency cases, is amended to read as follows:

26   (4)(A) Place the juvenile on probation under those conditions and

27 limitations that the court may prescribe pursuant to § 9-27-339(a).

28   (B)(i) In addition, the court shall have the right, as a

29 term of probation, to require the juvenile to attend school, including

30 vocational training or workforce preparation classes, or make satisfactory

31 progress toward a general educational development certificate.

32   (ii) The court shall have the right to revoke

33 probation if the juvenile fails to regularly attend school or vocational

34 training or workforce preparation classes, or if satisfactory progress toward

35 a general educational development certificate is not being made;

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1   SECTION 2.   Arkansas Code 9-27-332(a)(7), concerning the court orders in
2   disposition of families in need of services cases, is amended to read as
3   follows:
4   (7)   Place the juvenile on supervision terms including, but not
5   limited to, requiring the juvenile to attend school, including vocational
6   training or workforce preparation classes, or make satisfactory progress
7   toward a general education development certificate, requiring the juvenile to
8   observe a curfew, and prohibiting the juvenile from possessing or using any
9   alcohol or illegal drugs.
10   (A)   The supervision terms shall be in writing.
11   (B)   The supervision terms shall be given to the juvenile
12   and explained to him or her and to his or her parent, guardian, or custodian
13   by the juvenile intake or probation officer in a conference immediately
14   following the disposition hearing.
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16   SECTION 3.   Arkansas Code 9-27-332(a)(8), concerning the court orders in
17   disposition of families in need of services cases, is amended to read as
18   follows:
19   (8)   Order a fine not to exceed five hundred dollars ($500) to be
20   paid by the juvenile, a parent, both parents, guardian, or custodian when said
21   juvenile exceeds the number of excessive unexcused absences provided for in
22   the district's or the State Board of Workforce Education and Career
23   Opportunities' student attendance policy.
24   (A)   The purpose of the penalty set forth in this section is
25   to impress upon the parents, guardians, or persons in loco parentis the
26   importance of school or adult education attendance attending the assigned
27   educational programs, and the penalty is not to be used primarily as a source
28   of revenue.
29   (B)(i)   In all cases in which a fine is ordered, the court
30   shall determine the parent's, guardian's or custodian's ability to pay for
31   said fine.
32   (ii)   In making its determination, the court shall
33   consider the following factors:
34   (a)   The financial ability of the parent, both
35   parents, the guardian, or custodian to pay for such services;
36   (b)   The past efforts of the parent, or both

1   parents, the guardian, or the custodian to correct the conditions which

2   resulted in the need for family services; and

3   (c)   Any other factors which the court deems

4   relevant.

5   (C)   When practicable and appropriate, the court may utilize

6   mandatory attendance to such programs as well as community service

7   requirements in lieu of a fine.

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